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THE LIFE, TRIAL, AND DEATH OF FRANCISCO FERRER

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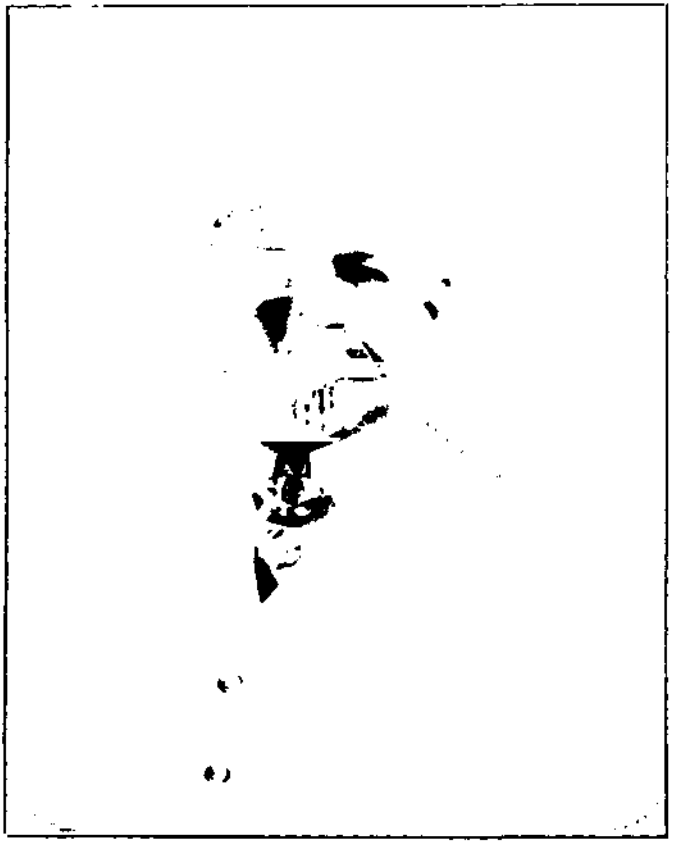
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FRANCISCO TÁRREGA GUARDIA

Autógrafo

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LIFE, TRIAL, AND DEATH
OF
FRANCISCO FERRER

BY

WILLIAM ARCHER

WITH ILLUSTRATIONS

LONDON
CHAPMAN & HALL, LTD.
1911

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PREFACE

WHEN, at the request of the Editor of *McClure's Magazine*, I undertook the investigation of which the following pages are the result, I had barely heard the name of Francisco Ferrer. In other words, I approached the subject with the impartiality of ignorance.

The circumstances were these: Mr. Perceval Gibbon had contributed to *McClure's Magazine* an article on Ferrer, which, though excellent so far as it went, was written at a time when complete information was not yet accessible. American Roman Catholics violently assailed the article, and opposed to it the ecclesiastical legend of Ferrer's character, career and crimes. Among the insults they hurled at Mr. Gibbon was one which probably left him "more than usual calm"—the suggestion, to wit, that he must be lineally descended from the infamous author of *The Decline and Fall of the Roman Empire*. Always willing to hear both sides of a question, *McClure's Magazine* printed an article by one of the Catholic champions, which displayed an astounding ignorance of even the admitted facts of the case, as set forth in the official documents; and meanwhile the Editor commissioned me to go to Spain and undertake an independent enquiry into the whole matter.

My mind, as before stated, was a blank as regards Ferrer, and I had no predispositions to contend against.

Certainly I was not a Roman Catholic; but I was in no way committed to hostility to Catholicism. As a matter of fact, had I convinced myself that Ferrer was guilty, or even that he had had a fair trial, it would have been very easy, and by no means disagreeable, for me to have said so. My impartiality would have shone conspicuous; and, as for *McClure's Magazine*, it could only have gained by confessing itself in error, and thus effecting a reconciliation with a large and important section of the American public. But I very soon saw that I could not in conscience recommend recantation on any point of the smallest importance. For a week or two after I began to look into the case, my judgment remained in suspense; but I had no sooner procured and read the official version of the trial, the *Juicio Ordinario seguido . . . contra Francisco Ferrer Guardia*, than all doubt was at an end. I knew that Ferrer had been the victim, if not of a judicial crime, at any rate of an enormous judicial stupidity.

It may perhaps be said—indeed, it has been said by one critic—that I apply to Spanish procedure the test of English legal principles and rules of evidence. This is not really so. The little I ever learned of English rules of evidence has long since vanished from my mind. The tests I have sought to apply are simply those of common sense and fair play. I have shown, too, that even the rules of Spanish military procedure, grossly unfair as they are to the accused, were not observed in Ferrer's case, but were overridden to his disadvantage.

I shall not attempt to draw up a list of everybody, in England and in Spain, to whom I owe thanks for valuable assistance. To two men above all others my gratitude is due: to Professor Tarrida del Marmol, for

his unwearying kindness in answering the multitudinous questions which I put to him; and to Mr. William Heaford, for the generous way in which he placed at my disposal, not only his invaluable letters from Ferrer, but masses of other material, and notably the publications of the Escuela Moderna. Without the help of Professor del Marmol and Mr. Heaford my work would have been almost impossible. Dr. L. Simarro, Professor of Psychology in the University of Madrid, and author of *El Proceso Ferrer y la Opinión Europea*, most kindly facilitated my task by giving me advance proofs of that masterly and exhaustive study of the case. Mr. Charles Arrow, late of the Criminal Investigation Department, besides rendering me other assistance, lent me a report of the Madrid trial of 1907, which was of great service to me. I have also to thank Mr. B. Walsh, of Barcelona, for very able help in my enquiries in that region.

It may be asked whether I have gone to Catholic authorities for their side of the case? Certainly I have done so. I have not only waded through files of the Catholic press, and read Catholic books and pamphlets (for instance, *La Semana Sangrienta*, Villaescusa's *La Revolución de Julio*, Casimiro Comas's *Francisco Ferrer*, etc., etc.), but I have been at some pains to seek out persons who, I was told, could throw light on the case from the Catholic point of view. These enquiries, however, were absolutely fruitless. They merely convinced me that the so-called authorities neither knew nor wanted to know anything about the case. It was sufficient for them that Ferrer was a diabolical personage who deserved death on general principles, whether he was guilty of the particular crimes imputed to him or no. They repeated to me legends which were conclusively disproved in the

official reports of the trial. They had not even been at the trouble of mastering the theories of the prosecution. I could have stated the case against Ferrer far more plausibly than they could.

Both in Spain and out of it, Ferrer has very commonly been called "the Spanish Dreyfus." The resemblances between the two "affairs" are, indeed, unmistakable. In each case we see militarism, inspired by clericalism, riding rough-shod over the plainest principles and practices of justice. The victim in each case is a personage hated by the Church—in France a Jew, in Spain a free-thinker. If my reading of the Ferrer case is right, there was not so much active and deliberate villainy at work in it as there was in the Dreyfus case; but, on the other hand, the determination to convict, with or without evidence, was even more manifest in the Spanish authorities than in the French. The character of Ferrer was interesting in itself, whereas Dreyfus, apart from his calamities, would never have been heard of. But the great difference between the cases lies in the fact that the Spanish Government had the courage of its fanaticism, and killed its man. Perhaps it took warning from the Dreyfus case, and determined to seek security in the irreparable. It is true that no argument, no revision, can undo the work of that October morning in the trenches of Montjuich; but it may be doubted whether Don Antonio Maura and the Ultramontane party may not find the ghost of Ferrer more formidable than the living man could ever have been.

If only one dared to hope that, in reparation for her terrible blunder, Spain would seriously set about that education of the people which was Ferrer's dream! I do not mean, of course, that his principles or methods should

be adopted. It would be extremely easy to start better schools than his—schools in which the children should have a chance of growing up into free and enlightened human beings, unwarped by either religious bigotry or anti-religious fanaticism. It would be extremely easy—in any country but Spain. How sad that in that noble and beautiful land, so richly dowered both by nature and by art, there should be no middle course between spiritual enslavement and vehement revolt!

One good result must surely ensue from the Ferrer case, when the passions of the moment have died away. It must lead to the removal from the statute-book of the wholly irrational and indefensible *Ley de Jurisdicciones*, by which the lives and liberties of citizens are placed at the mercy of incompetent military tribunals, in precisely the cases in which those tribunals are necessarily least able to take objective and impartial views. It cannot be too clearly stated that Ferrer did not fall a victim to "martial" law—to a hasty procedure excused by the stress of military necessity. The "state of siege" had long been at an end, and the normal law of the land had resumed its sway. But it was the normal law of the land that persons accused of offences against the Army should be tried by the Army, and under a set of rules which placed the prisoner at every possible disadvantage. It was not, in short, a case of "martial law," but of "military law,"—a very different thing—and it affords a tragic warning, not for Spain alone, but for all nations, against leaving the administration of justice to soldiers, under any circumstances except those of actual war.

LONDON,
March 10, 1911.

CONTENTS

		PAGE
	PREFACE	v
I.	YOUTH AND MARRIAGE	1
II.	THE THREE REVOLVER-SHOTS	7
III.	MADEMOISELLE MEUNIER'S MONEY	18
IV.	THE ESCUELA MODERNA	28
V.	THE CRIME OF THE CALLE MAYOR	63
VI.	A TWO-YEARS' TRUCE	81
VII.	BARCELONA	97
VIII.	FROM LONDON TO MAS GERMINAL	108
IX.	THE MELILLA ADVENTURE	119
X.	THE RED WEEK	127
XI.	FERRER DAY BY DAY	143
XII.	THE EXILES OF TERUEL	150
XIII.	THE LEGEND GROWS	162
XIV.	CAPTURE AND IMPRISONMENT	171
XV.	PROCEDURE AND PRELIMINARIES	179
XVI.	THE TRIAL IN OUTLINE	190
XVII.	THE EVIDENCE—OPINION AND HEARSAY	195
XVIII.	THE EVIDENCE — STATEMENTS WHICH PROVE NOTHING	204
XIX.	THE EVIDENCE—RELEVANT ACCUSATIONS	211
XX.	THE EVIDENCE—DOCUMENTARY	222
XXI.	VERDICT AND EXECUTION	235
XXII.	THE CASE SUMMED UP	242
	APPENDIX	255
	INDEX	325

LIST OF ILLUSTRATIONS

	FACING PAGE
FRANCISCO FERRER GUARDIA . . .	*Frontispiece*
FERRER'S BIRTHPLACE, ALELLA	3
THE FERRER FAMILY AT BENDIGO, 1898	15
SOLEDAD VILLAFRANCA	67
MAS GERMINAL	81
MAS GERMINAL (GENERAL VIEW)	93
COURTYARD AND CISTERN, MAS GERMINAL	93
THE LIVING-ROOM AT MAS GERMINAL	94
JOSÉ FERRER	95
FERRER'S "STUDY" AT MAS GERMINAL	96
MONTJUICH	99
FERRER'S BIRTHPLACE	171
THE SCENE OF FERRER'S ARREST	171
THE TRIAL	190
THE FRATERNIDAD REPUBLICANA AT PREMIÁ . . .	216
THE APPROACH TO PREMIÁ	219
THE AYUNTAMIENTO OF PREMIÁ	219
FACSIMILE OF LETTER TO MLLE. HENRIETTE MEYER . .	228
FERRER'S COFFIN CARRIED TO MONTJUICH	239
CAVALRY LEAVING MONTJUICH AFTER THE EXECUTION .	241

THE LIFE, TRIAL, AND DEATH OF FRANCISCO FERRER

YOUTH AND MARRIAGE

ON October 9, 1909, Francisco Ferrer was sentenced to death on the charge of being the "author and chief" of what is known as the "Revolution of July" in Barcelona. On October 13 the sentence was executed in the trenches of the fortress of Montjuich. Instantly there arose a storm of protest all over Europe. In Paris there was rioting, attended by bloodshed; and important indignation meetings were held in London, Rome, Berlin, Brussels, Lisbon, Marseilles, Toulon, Lyons, Genoa, Venice, Naples, Oporto, and many other cities. The execution was denounced as a judicial crime of the blackest type, and Ferrer was glorified as a martyr of free thought, done to death by a sinister and vindictive clericalism. Nine days later, the Maura Cabinet resigned, its fall being due in great measure to the evil repute it had brought upon itself and upon Spain by hurrying Ferrer to his death. But, when the tempest of popular fury had subsided, the Roman Catholics of all countries came forward to the rescue and vindication of their Spanish brethren.

They said (quite truly) that not one in twenty of the people who shouted themselves hoarse in honour of the atheist martyr knew anything of the facts of his case. They said that Ferrer was a notorious evil liver, who had left his wife and children to starve, while he spent with his mistresses the wealth which he had wheedled out of a too confiding old maid, by a hypocritical pretence of piety and philanthropy. They said he had certainly been concerned in Morral's attempt upon the King and Queen of Spain, though he had so skilfully covered his tracks that the crime could not be brought home to him. They said that he taught bomb-making in his school, and placarded on its walls an exhortation to regicide. They said that he had engineered the Barcelona revolt in order to make money by a stock-exchange gamble. And, finally, they said that, after a trial conducted in strict accordance with the law of the land, he had been proved beyond a doubt to have acted as organizer and director of an insurrection which had been accompanied by murder, sacrilege, and unprecedented scenes of rapine and havoc. "Did any one ever deserve death," they asked, "if this man did not?"

Assuredly he deserved death, by the laws of all nations, if he was the instigator and director of the rising. But was he? This is the point which we have to investigate.

It was in this character, and in this only, that he was condemned. The prosecution formally renounced at the outset all attempt to bring home to him any individual act of violence. It was as "author and chief of the rebellion"—"autor y jefe de la rebelión"—that he was found guilty and shot. The phrase occurs not only in the actual sentence of death, but nearly twenty times in the three speeches for the prosecution, published with the

sanction of the Spanish Government.[1] Other accusations brought against him have, then, no real relevance. But as he was unquestionably surrounded by a dense atmosphere of evil report—an atmosphere which breathes from every page of the official *Process*—it may be well, before examining the essential points in the case, to analyze this atmosphere, and distinguish between the elements of truth and of falsehood in its composition.

Francisco Ferrer Guardia, son of Jaime Ferrer and his wife Maria de los Angeles Guardia, was born at Alella, a village some twelve miles from Barcelona, on January 10, 1859. Ferrer is one of the commonest of surnames in Catalonia, being, I take it, equivalent to the English Smith. According to Spanish custom, he added his mother's name, Guardia, to his actual surname, Ferrer. His parents seem to have been fairly well-to-do agriculturists, and were "believing and practising Catholics." His birthplace, known as the Casa Boter, is a substantial house, standing, in a walled garden, on the highway leading inland from Alella, within a stone's-throw of the spot where he was arrested on the night of August 31, 1909. Outwardly, at any rate, his birthplace makes much more show than his own so-called "villa" of Mas Germinal.

Up to the age of ten, he attended the Municipal School at Alella, and for the next two years he went to a similar school at Teyá, a neighbouring village. At the age of twelve, his schooldays ended. The Municipal School of

[1] In a pamphlet of 69 pages entitled *Ordinary Process conducted before the Military Tribunals . . . against Francisco Ferrer Guardia* (*Juicio Ordinario seguido ante los Tribunales Militares en la Plaza de Barcelona contra Francisco Ferrer Guardia*). In future references to this publication, I shall simply call it the *Process*. A translation of all the essential portions of it will be found in the Appendix.

Alella was in his time, says my local informant, "little better than a stable." It has since been "done up," and is now a cheerful room enough, measuring some 40 feet by 25, with a small inner room off it, which has no window or means of ventilation. It serves a village of 1400 people. The walls are decorated with a crucifix and gaudy pictures from the Lives of the Saints, together with a printed hymn to the Spanish Flag, which the little Catalans have to sing every day. There is no playground save the village street. The schoolmaster, apparently an intelligent man, receives a salary of less that £30 a year. One has only to see the Escuela Pública of Alella to understand Ferrer's conviction that education is the first thing needful for Spain; and it must be remembered that Catalonia is not the most backward region of the Peninsula, but the most advanced.

In an autobiographical note which Ferrer contributed to the *Almanach-Annuaire de la Libre-Pensée internationale*[1] for 1908, he says of himself: "While still a child he was deeply moved by the stories told him by one of his uncles of the conspiracies of General Prim and other revolutionaries, who sought to overthrow the Bourbon monarchy. And when, in 1868, Isabella II. was forced to abandon the throne and take refuge abroad, Ferrer, then only nine years old, took part in the popular rejoicings. All these things left their mark upon his spirit. From that time forward, he never ceased to interest himself in the political struggle, taking his stand on the side of those who desire more happiness and well-being, against those who are

[1] In this document, as quoted in *Un Martyr des Prêtres*, the date of his birth is given as January 13, 1857; but I am assured by his brother that this is wrong. One would suppose it a mere misprint, were it not that a few lines lower down he is stated to have been eleven years old in 1868. In the text I have substituted "nine" for "eleven."

determined that they alone shall enjoy life, often at the expense of others."

At the age of thirteen he obtained employment in the shop of a corn and seed merchant (some say a draper) in San Martin de Provensals, a district of Barcelona. It is usually said that the influence of this employer, an ardent anti-clerical, undermined the orthodoxy which he had imbibed at home, and had brought with him from home and school;[1] but it is evident from his own account, in the passage above quoted, that the seeds of revolt had been sown in his mind even before he left Alella. By the time he reached maturity, in any case, he was an avowed and ardent Republican and Freethinker.

At about the age of twenty he entered the service of the Madrid, Saragossa and Alicante Railway Company, and shortly afterwards married a young woman whom he met in the train. As "inspector of tickets" he had constantly to pass and repass between the French frontier and Barcelona, and was thus enabled to become a valued medium of communication between Ruiz Zorrilla, the Republican leader, then in exile at Geneva, and his adherents in Spain. "In this condition he continued," said the Auditor-General,[2] "until May 19, 1885, when he resigned his post and settled in Paris; this resolve being connected with the insurrection of Santa Coloma [de Farnés], in which he took some part; with the domestic troubles which led to his separation from his wife, who fired two shots at him; and with a supposed robbery of money from a priest who was travelling on the Gerona line." It is characteristic of the judicial methods pursued in this case that a "supposed robbery" of which Ferrer

[1] *Un Martyr des Prêtres*, p. 9; McCabe, *The Martyrdom of Ferrer*, p. 13.
[2] As to this officer and his function, see footnote, p. 35.

was never formally accused, much less convicted, should have been raked up to his prejudice, in a secret document, never communicated either to him or to his Defender, twenty-five years after the "supposed" event. From the very language of the Auditor, however, it is clear that his removal to Paris was in no sense a flight. He resigned his post on a specified date, and departed.

II

THE THREE REVOLVER-SHOTS

THE domestic troubles above mentioned are absolutely foreign to the question of Ferrer's guilt or innocence, and the prosecution did not, in fact, dwell upon them at his trial. But as it is constantly stated by his unofficial accusers, clerical and lay, that he "abandoned his wife and three children," the story of his unhappy marriage must be briefly related. In such cases it very seldom happens that the faults are all on one side, and the essential facts are usually very hard to get at. In this case, however, I have a witness to produce who had every opportunity of observation, and whose testimony leaves very little doubt as to the due apportionment of responsibility.

Ferrer's early years in Paris were years of poverty and struggle. He first became what is described as a wine-broker, then opened a small restaurant in the Rue du Pont Neuf; and from 1889 onwards he made his living by giving lessons in Spanish, while acting as unpaid secretary to Ruiz Zorrilla. He was beginning to acquire some reputation as a teacher, when a sensational incident brought his name into brief but undesirable prominence. Under the heading of "Nouvelles Diverses," the *Figaro* of June 13, 1894, published the following paragraphs:—

A Woman's Vengeance.

About nine o'clock yesterday evening, three revolver-shots caused a lively excitement in the Faubourg Montmartre. A woman had fired upon her husband. She would have gone on firing if some passer-by had not disarmed her.

While the injured man was taken to a neighbouring pharmacy, his assailant was brought before M. Mouquin, commissary of police. There she alleged that, being the mother of four children, abandoned by her husband, she had desired to avenge herself, and that she only regretted not to have killed the wretch whom she hated.

After having had his wounds, which were very slight, attended to, the husband told a wholly different tale. He is named F. F——, and is a teacher of Spanish. He met his wife, ten years ago, in a railway-train; she represented herself as being oppressed by her family; he took pity on her and married her. They came to live in Paris. He has, in fact, had four children by her. One of these died last August; two are in Australia, in the care of a brother of M. F——; the fourth, a child of three, is being brought up at Moret [*sic*], under her father's directions. M. F—— has, indeed, left his wife, by reason, as he states, of her misconduct.

The inquiry with which the magistrate is proceeding will show on which side the truth lies.

On the following day (June 14) the same paper gave another account of the case, this time entirely from the point of view of the wife, who had gained the ear, it would seem, both of the magistrate and the reporter. It does not appear that Ferrer took any further steps in the matter, or was examined even at the ultimate trial. This is the lady's story as given in the *Figaro* of June 14, under the heading of "L'Affaire Ferrer":—

. . . They came to live in Paris, in the Rue Richer, and each gave lessons in Spanish. But the peace of the household was very soon troubled, and M. Ferrer, profiting by an absence of his wife, carried off the furniture of their flat, leaving to her the burden of a rather high rent. Further, he carried off the three children who remained to them. Two of them he sent to Australia, to his brother; and the youngest, a child of three, he put out to nurse at Morée (Loire-et-Cher). When the poor woman returned, great was her despair on finding her children gone. She made several requests to her husband to be allowed to see, to embrace them; but she met with a flat refusal. M. Ferrer had commenced an action for divorce against her, and he declined, until the action was decided, to let her see her children. Again and again the unhappy mother had gone to M. Mouquin, commissary of police, to beg for his assistance. The magistrate could only exhort her to have patience, to be calm. She must await the authorization of the Tribunal. All those who knew Mme. Ferrer, and, knowing her respectability, were interested in her, also advised her to wait. To wait! she could do so no longer. The obstacles placed in her way exalted her maternal love, and if she could not see her children again, she preferred to die. It was with the fixed intention of shooting herself before her husband's eyes, if he persisted in keeping her apart from her children, that she awaited M. Ferrer in the Rue Richer. She came up to him and entreated, in tones of supplication, to see her children. His only answer was a disdainful silence, as he passed on his way. Exasperated by his contempt, the unhappy woman had no thought but that of vengeance. She fired at her husband, but inflicted only an insignificant wound.

Yesterday morning she was again brought to the office of M. Mouquin. She adjured the magistrate to tell her where her children were.

"Two are in Australia, with your brother-in-law," replied the commissary; "the third is at Morée."

"In Australia!" she cried with anguish. "Ah! they are lost to me! I shall see them no more!"

And she fell senseless to the floor.

Had there been nothing else in this narrative to put us on our guard, the melodramatic close would have sufficed. Let us see how much truth there is in the whole story.

Here my task becomes a delicate one, for I have to call a daughter to throw light on the domestic unhappiness of her parents. On reading the above extracts from the *Figaro*, Mme. Trinidad Ferrer wrote a long statement, dated Paris, July 6, 1910, which she placed at my disposal. I shall not reproduce it in full, for it contains many painful details which it is quite unnecessary to go into; but in the portions I suppress there is not a single word which tells against Francisco Ferrer. The ardent sincerity of the writer must, I think, be manifest in every line.

As the statement follows no very definite order, I have somewhat rearranged as well as compressed it. Thus it runs:—

My heart bounded with indignation on reading the so false version given by the *Figaro* of the sad incidents which arose at that time between my parents. Confiding in you, I shall do all I can to establish the truth and prove to you what a man of duty and delicacy was my dear and lamented father. . . . You will understand the struggle which passes in me, and how painful is my task as regards my mother; but the accusations against my father, dead, and by such a death! are so monstrous and false that I cannot but protest—for I tell the truth.

I was my father's eldest daughter. At the age of five I came to France, with my mother; for my father was already there. Papa was for some time secretary to Ruiz Zorrilla, and during that time he studied much; for he had gone into business quite young, and therefore his

education was limited. It was only after many efforts that he was able to give lessons in Spanish. Later, my mother too gave lessons. Every Sunday, Papa went out with me, and with my mother if she cared to come ; otherwise with me alone. He was a gentle and affectionate father, loving to answer all my childish questions, and frequently evoking them.

We were four daughters. Paz, the second, was twenty months younger than me. Luz, who died some time before the affair of the revolver, in spite of all my parents' care for her, was three years younger than me. Sol, who was ten years my junior, has been brought up by my mother. My sister Paz was brought up by my aunt Marieta, wife of my father's brother José, and in 1892, at the age of eight, she went with my uncle José to Australia. She wrote to us regularly every week, and we as regularly to her, except my mother, who seldom wrote.

In the light of this statement, what are we to think of the distracted mother begging the commissary of police to tell her where her children were, and swooning at the terrible news of their having been spirited away to the antipodes? Trinidad herself had meanwhile joined Paz in Australia ; but, as we shall see, her mother was perfectly aware of her whereabouts. Her statement now enters upon some scenes of family life, of which I shall say nothing, except that the child's sympathies were always with her father. Her evidence, no doubt, is subject to a certain amount of discount. Even the most intelligent and observant child cannot look very far beneath the surface of a disastrous marriage. She shows that her father acted, under extremely trying circumstances, with rare patience and dignity; but it is only fair to remember that patience and dignity may sometimes be precisely the most unbearable qualities a man can display, and that

he may even calculate upon their exasperating effect. I see no reason to think that this was Ferrer's case; Mme. Trinidad's story, indeed, speaks as convincingly as possible in her father's favour. I merely remind the reader that it cannot be taken as absolutely *proving* more than that the father earned the child's enthusiastic affection and loyalty, and was in her eyes a much-tried and long-suffering man.

She proceeds:—

In the evening, after his lessons were over, my father used to copy manuscripts, which one of his friends procured for him, at a very low rate of pay; and it was one of my mother's grievances that, on the evening after the death of my sister Luz, my father spent part of the night at this arid task. Had he not done so, he would have lost the work; and in spite of his great silent grief, he applied his mind to the mechanical toil of a word-for-word copy. My mother understood no grief which did not express itself in cries and theatrical outpourings.

Being possessed by ideas of grandeur and luxury, my mother was a poor economist; and in order to guarantee the future—that is to say, a few weeks in advance—my father was obliged to give out daily the five or six francs for household expenses. . . . My father paid the rent and paid my teachers. On himself he spent nothing at all, for he had purposely given up smoking, and never went to the café. His only outlay was for newspapers and an occasional book—often for me.

It was I who, with a child's wish to act for the best, gave the immediate impulse to the separation of my parents. This was how it happened. Coming home one day from the communal school, I found that the table was not laid for lunch and that no meal had been prepared. The maid excused herself to Papa by saying that Mama had gone out without leaving her any money. I then

advised Papa to send me to a pension, and to separate from Mama. They were too unhappy together; and as Mama also could earn her living, perhaps they would be able to lead a quieter life apart. . . . That very day I went into pension with a Mme. Tessier, who kept an anti-clerical school at Montreuil; and there I remained until I went to Australia.

The writer adds that it may appear strange that so young a girl should thus mix herself up in the troubles of her parents, but that she is now twenty-eight, and does not feel that she ought to have acted otherwise.

When I was at the pension [she continues] my mother came to see me every Sunday, from five to six. She always talked on the assumption that she was going to get a divorce, and she wanted me to live with her after the divorce. I was afraid that her tears would break down my resolution; and the horrid things she said of my father made me sick at heart. It was then that I asked my father to send me to Australia. He went with me to Marseilles, and consulted the Captain of the *Armand Beluc* as to how he could secure me an escort to Melbourne. On the Captain's recommendation, I was placed under the care of a respectable couple, having two children of their own, to whom my father, in spite of his constant poverty, gave fifty francs for my small expenses on the voyage. They handed the fifty francs intact to my aunt, who came to meet me on my arrival.

My mother was never ignorant of my address. At each port of call I wrote to her (for one always loves one's mother), and she knew the address of my uncle in Australia. As to my sister Sol, who had been placed at nurse, my mother could have kept her had she wished to, or could have gone to see her, for she knew the address of the nurse.

My father, in his delicacy, never told me that my

mother had fired at him, and never complained of her to me. Not till this year did I learn the result of the revolver-shots, which was to deprive my father of the greater number of his pupils, through the scandal which they caused. This I say to show you how, in that dear heart, which beat only for those he loved and for the causes he thought just, there was no room for recriminations or for self-justification at the expense of the mother of his children.

I shall quote no further from this most interesting document. Let me only add that it is all the more convincing, as the writer shows incidentally that after her marriage a certain misunderstanding arose between her father and herself, which was not quite healed for several years; but even during the time of partial estrangement, she declares, he never failed to treat her with forbearance and generosity.

On July 3, 1894, Mme. Ferrer came up for trial. "Only one ball having taken effect," says the *Figaro*, "and having caused but an insignificant wound, the accused was not sent to the Court of Assizes, but brought before the 8th Correctional Chamber." She appears to have poured forth afresh, with embellishments, the story of her wrongs; while Ferrer seems neither to have been present nor in any way represented.

"'The Court,' said M. le President Flandin, 'demands nothing better, madame, than to give full weight to all these attenuating circumstances. But the deed which you committed was a very grave one. You must at least promise that you will not again attempt your husband's life.'

"'Oh, sir,' replied the accused, sobbing, 'I promise that! My husband is dead to me. I shall not do it again. But let me have my child restored to me!'



THE FERRER FAMILY AT TENDICO, 1895

Trinidad Francisco Ferrer. Paz Maria Josefa's wife Jose Ferrer

Ferrer is displaying a copy of Nakens' paper, *El Motin*

to face p. 1

"Mme. Ferrer added that unfortunately it was to be feared that her husband had sent the little girl abroad.

"The Court condemned the unhappy woman to one year's imprisonment, but with application of the Bérenger Law." In other words, she was at once released under a first-offenders act.

As a matter of fact, the mother did, shortly afterwards, obtain possession of little Sol, and carried her off to Russia, where she herself formed other ties. For years Ferrer tried hard to obtain a divorce. In Spain it was impossible; it might have been possible in France could he have secured naturalization, but in this he did not succeed. Even down to 1898, we find him writing with regret of the failure of his efforts.[1]

Whatever judgment we may form as to Ferrer's part in the sordid story above outlined, the hundred-times-repeated statement that he "abandoned his wife and three children" is manifestly false. So far was he from abandoning the two daughters who were left to him that, in spite of his poverty, he twice—in 1896 and in 1898—scraped together enough money to go out to Australia and see them. "At these times," writes Mme. Trinidad, "he showed himself full of paternal solicitude for us, qualified by the fear of restricting our little childish liberties." She adds that she has recently learned, from those who knew him at the time, that he submitted to severe privations in order to meet the expense of these voyages. After her father's death, moreover, Mme. Trinidad prosecuted the printer of a defamatory poster, exhibited in Charleville, France, in which, among many other calumnies, it was stated that Ferrer was "misérable comme père." The "Jugement rendu par le Tribunal Civil de

[1] Two letters of 1898 printed in *La Ragione* (Rome), November 11, 1909.

Charleville le 3 Mars, 1910," now lies before me, showing that the printer had to pay 400 francs damages and the costs of the action, and was moreover ordered to advertise the judgment, at his own expense, both by bills to be posted in various towns of the neighbourhood, and by advertisements in the local papers.

The second daughter, Paz, does not, like Trinidad, share her father's ideas. In a letter addressed to the *Gil Blas* of November 16, 1909, she writes: "A Spaniard by birth, I remain entirely a Spaniard, and respect the religious and political institutions of my country. I have often told my father so. He did not get angry; he smiled, and that was all." At the same time she is no less emphatic than her sister in declaring him to have been a most considerate and affectionate father. "I affirm," she says, "that I have never had any complaint to make against him. When I wanted to devote myself to the theatre, he opposed me. He used all the arguments that a father can use to his daughter. But I had the passion of my art. . . . He ended by yielding to my entreaties. So long as I required it, he supported me; he gave me my first teachers. Whenever I have appealed to his heart, his heart has answered. I cannot enter into his reasons for arranging his private life as he did. All I can say is that I think of him with unmixed gratitude and love."

This young lady, while denying that her father was "an organizer of revolts or a propagator of crime," has come to the conclusion that "his death was imposed on the Spanish Government by reasons of state." It would be curious to know whether the Maura Cabinet values this testimonial.

In sum, then, we may utterly dismiss the legend which

represents Ferrer as an unnatural and heartless father. It is a falsehood without a shadow of foundation. That he was a model husband cannot be affirmed with equal certainty, though the evidence goes to show that he was patient and forbearing under sore provocation; and, at any rate, the records of the 8th Correctional Chamber of Paris are there to prove that he had not exactly a model wife. He afterwards, as we shall see, formed irregular ties which it was not in his power to legitimize; but this was not until, as his wife put it, "he was dead to her," and she had placed the breadth of Europe, as well as other obstacles, between them.

III

MADEMOISELLE MEUNIER'S MONEY

THERE is no doubt that during the first ten years of his life in Paris—that is to say, from 1885 to 1895, or even a little later—Ferrer was closely connected with the Spanish revolutionary-republican party, and was deep in its councils. This he himself never denied. On the other hand, he did not admit that he had ever been an "anarquista de acción"—an abettor of bomb-throwing. It is probably true that he at no time approved the sporadic and insensate use of dynamite which has given Barcelona an evil reputation. But we shall have to consider later the validity of a document, dating from 1892, which, if it has not been garbled, shows that at that date he thought of organizing a gigantic revolutionary plot, into which the use of dynamite could not but enter. The question of his views in the early nineties, however, has no bearing upon his action in 1909; for it is absolutely certain that, soon after the collapse of his family life, a change began to come over his attitude towards the republican party, and towards political action in general. Briefly, he came to feel that political revolutions could bear no lasting fruits in Spain so long as more than fifty per cent. of his countrymen remained "analfabetos"—illiterates—and the education of the remainder was

miserable both in methods and in spirit. The reality of this change of heart is questioned by his accusers, and we shall have later to look into that point. It is certain, at any rate, that he acted as though his conversion were real, and devoted himself, with all his energy and enthusiasm, to education. How he was enabled to found the "Escuela Moderna"—the Modern School—has now to be related.

There lived in Paris in the 'nineties a certain Madame Meunier, whose deceased husband had enriched himself during the Haussmannizing of the capital. Her only daughter, Jeanne Ernestine, was an accomplished musician and something of a linguist. Both mother and daughter were fond of travel, and in 1894 they made up their minds to visit Spain. In preparation for this journey, Mlle. Ernestine desired to take lessons in Spanish, and thus made the acquaintance of Francisco Ferrer. The lady was at this time well advanced towards middle age, and not even Ferrer's enemies have seriously attempted to make out that their relation ever transcended the limits of friendship. Calumny has in this case taken a different line, and represented Ferrer as a Tartuffe who affected piety in order to ingratiate himself with a devout and saint-like daughter of the Church. Mlle. Meunier, at all events, took her course of lessons, and went with her mother to Madrid, where the old lady died. Perhaps this sad experience gave the daughter a distaste for Spanish, or perhaps the scandal of the revolver-shots made her draw away from Ferrer. At any rate, they appear to have lost sight of each other for some time. After the death of Ruiz Zorrilla in 1895, Ferrer, knowing Mlle. Meunier to be an autograph-collector, sent her a letter of his late chief, and this led to a renewal of

acquaintance, and of lessons in Spanish.[1] But Ferrer, as he himself confessed, always tried to make his language-lessons a means of propagating his ideas on politics and religion. "I cannot," he says, "conceive life without propaganda. Wherever I may be—in the street, in public places, in the tramway, in the train —with whomsoever I may find myself in company, I cannot but try to make a convert. I have often exposed myself to rebuffs; but I cannot help it, or rather I do not try to help it. I would rather appear indiscreet than withhold a word or an observation whereby I may possibly make people reflect." This confession occurs in an article entitled "The Origin of a Fortune" which he contributed to the *España Nueva* of June 16, 1906—an article in which he gives his own version of his relations with Mlle. Meunier.

The most interesting case I encountered [he says] was that of a lady, Catholic, apostolic and Roman, whose conviction amounted to fanaticism. More than a year passed before I could speak to her of religion. Thanks to the confidence with which my seriousness inspired her, and to a certain affinity of taste in matters of art, of travel and of manners, I was able at last to permit myself to approach the subject on which my heart was set.

As the fortress I wanted to take was a formidable one, I could not attack it alone, but began by calling to my aid Volney, whose *Ruins* I induced her to read. Naturally this book made a breach: it could not fail to do so in the case of any person who, however fanatical, was at the same time sincere. I gave her other books, and confined myself to discussing with her the thoughts which these works suggested to her.

[1] The incident of the autograph was related to me by Mme. Trinidad Ferrer.

Such was my eagerness for propagating scientific ideas that, on the appearance in France of Malvert's *Science et Religion*, I paid, out of my savings, for the right of translation, and commissioned my dear Nakens to translate and publish it in Spanish. The first copy received from Madrid I destined for my pupil, already less of a fanatic, though still far from being sufficiently seasoned for such reading.

A few days later I received a letter from her, reproaching me with having sent her such a book, though I well knew her beliefs, saying that she had burned it as an insult to her deepest convictions, and announcing that she required no further lessons from me. I replied that I deplored having given her offence, but that, as I had done it with the good object of instructing her, my conscience was at ease, though I was sorry to lose her as a pupil.

At the end of the vacation, the lady presented herself again, apologizing for her movement of impatience, and asking me to resume my lessons; but at the same time begging that I would not talk to her of religion. To that I agreed; but not many lessons passed without the bone of contention cropping up between us.

Those who lived in Paris during the Dreyfus Affair will certainly never forget it. For my part, I cannot but call it one of my most treasured memories.

I need not say that I was a Dreyfusard, and that I often talked myself hoarse in pleading his cause. I lost some pupils and made some enemies.

Like all the Catholics and reactionaries, the lady of whom I speak was against Dreyfus; and the result may be imagined. How could I keep silent? How not talk of religion? How avoid disputes? To make a long story short, I talked, I reasoned and I advanced proofs, until she was convinced of the malignity, the hypocrisy, or the ignorance of her friends, and of the justice of my arguments.

From this time forward I was able to open my whole

mind to her without rebuke, to expound to her my philosophic ideas, and to demolish, stone by stone, the fortress of her prejudices. She ended by accepting my views in all that concerned the church (*el culto*) and the priests; but she still feared to cut herself loose from the ideas of the soul, of a life beyond the grave, and of God.

She was very fond of travelling. Her mother being dead, she had now to find companionship in her administrators; and she manifested a desire to visit Spain along with me. I asked my fiancée to serve as her travelling companion, and the three of us set off for Barcelona, Madrid (where Sr. Nakens did us the honour to invite us to an excellent fricassee of his own preparation), Andalusia, etc.

Our lessons continued, and in the vacations we travelled—to Portugal, to England, and finally to Italy and Switzerland, where, at Geneva, on August 24, 1900, I told her that I did not want any longer to lead this egoistic, pleasure-seeking life, when there was so much to be done for ignorant and suffering humanity. She agreed with me, and offered to stand by me in whatever I proposed.

It may readily be imagined that during these journeys my tongue was not idle, and that the exchange of ideas went on incessantly. She believed that we were born with the idea of God already implanted in our minds; but I convinced her, by argument and example, that a child knows nothing except what it is told or taught. Thus she came to agree with me that our ideas and beliefs are simply those which are implanted in us in childhood, except in so far as we may subsequently modify them.

I expounded to her my plan of teaching, based *solely* upon the Natural Sciences, whereby the child and the youth are able to explain to themselves the origin of all things, and learn at the same time the *true* origin of all the evils that afflict humanity: wars, pestilences, religions, etc. She approved my plan, and placed at my disposition the money necessary for the enterprise.

Ferrer then gives some details as to Mlle. Meunier's will, which I shall have presently to go into more fully than he does. His statement concludes as follows:—

What may seem most surprising is that there was never anything between us except a profound fraternal friendship, founded on personal sympathy and similarity in humanitarian feeling. Not even on New Year's day did we ever exchange a kiss, though on that day, in France, this custom obtains even between those who most detest each other. However strange it may appear, this is the simple truth; and I am thereby enabled with all the more confidence to exalt the principle which the Escuela Moderna represents: the preparation for a free and happy humanity, without wars or other struggles, individual or collective.

I have reproduced this document at length, not merely for the sake of the facts it embodies, but still more for the clear insight it gives us into the writer's character. All the facts, it may be said at once, are fully borne out by independent evidence. But even if such evidence were lacking, could any unprejudiced person read the statement and disbelieve it? Does it not bear the mark of candour —nay, of ingenuousness—in every line? From the—somewhat irrelevant—point of view of our English prejudices, social and intellectual, it is at many points open to criticism. The irrepressible proselytism of the man suggests that detestable phrase, "bad form," while his crude and self-complacent dogmatism must doubtless be very distressing to cultured persons who keep their souls quiescent in a twilight of "philosophic doubt." Without being such a cultured person, I neither share Ferrer's belief that "the origin of all things" is to be learnt in a scientific text-book, nor do I consider this dogma a

fortunate basis for a system of education. But whatever our criticisms of the character revealed in this autobiographic fragment, we must surely admit it to be a genuine, spontaneous, inartificial character, in nowise apt for year-long dissimulation exercised in the interests of a ferocious fanaticism. Yet that is the theory advanced by those who insist that his enthusiasm for education was a mere cloak for violent and bloodthirsty anarchism.

When Ferrer says that he invited his "fiancée" (*novia*) to be Mlle. Meunier's companion on their journeys, he uses a word which may be literally accurate, since he was at that time still trying to obtain a divorce, and, had he succeeded, would have married this lady; but their relation was not that usually understood by betrothal. The lady's name has often appeared in print, but it is immaterial, and need not be repeated here. She is a Frenchwoman, cultivated and very intelligent. For about nine years she shared Ferrer's life; and she bore him, in 1900, a son, named Riego, in honour of a Spanish revolutionary hero of the early nineteenth century. The rupture between them, which took place in 1905, was far from amicable, so that, in respect to Ferrer's character as a man, the lady is a hostile witness. All the more trustworthy is her evidence as to facts within her knowledge; and she has confirmed to me, in every detail, Ferrer's account of his relations with Mlle. Meunier, who became her most intimate friend. "Was Mlle. Meunier a woman of intelligence?" I asked her. "Elle était plutôt bonne—très-bonne," was her reply.

The journeys which these three made in company extended from Aberdeen in the north to Tangier in the south. Mlle. B—— recalls very clearly the conversation at Geneva, in August, 1900, to which Ferrer refers. The

result of it was that Mlle. Meunier determined to endow, in one way or another, the educational work on which Ferrer's heart was set; and on returning to Paris she consulted a notary on the subject. But at that time she had little ready money at her command. A large part of her fortune was tied up in an investment, excellent in itself, but which precluded immediate realization; and she could look for no help from her man of affairs, Signor Cesare Coppola, of Milan, who would have opposed to the utmost any such employment of her means. She therefore made no immediate donation or allowance; but in her will,[1] dated January 20, 1901, she left to Ferrer a house in Paris (11 Rue des Petites Écuries), producing a yearly revenue of about £1400. This was, it would seem, something like half her fortune; for the rest, she left to a godson a house in Milan; to six other god-children and friends 94,000 francs, in sums ranging from 50,000 francs to 2000 francs; to seven persons (apparently a governess and servants) annuities amounting in all to 10,900 francs; and to the Paris Conservatoire a yearly sum to found a prize for harp-playing. Signor Coppola was to be her residuary legatee and executor.

To the religious institutions, to which, in bygone days, she had been a liberal benefactress, she left nothing at all. One paragraph of her will, however, ran as follows:—

I desire to die in the bosom of my Holy Mother the Church. My burial shall be simple and religious, and of the money immediately available at my death the sum of 3000 francs shall be devoted to the saying of masses (preferably in France) for the repose of my soul and that of

[1] I have before me a copy of her will, deposited in the Archivio Notarile of Milan. In it her name is spelt "Meunie"—no doubt by the Italian copyist.

my beloved mother. My body shall rest in the Cemetery of Montmartre.[1]

Signor Coppola, and after him all the enemies of Ferrer, have asserted that he deceived Mlle. Meunier as to his ideas, and professed to be "ultra-conservative and religious." Fortunately, there is no need to discuss the question whether he was capable of such a monstrous and elaborate fraud; for the whole theory is disproved by a letter from Mlle. Meunier herself, quoted in the invaluable "Dictamen" of the Auditor-General.[2]

She wrote to Ferrer on November 2, 1899—

I used to cherish an admiring reverence for the clergy: it is dead. I felt a respectful admiration for the men and the processes of the law: it is dead. I esteemed and admired soldiers: that feeling is dead. Dead, too, is my general respect for all authority and government. . . . But there is a Supreme Being, a God, the God of my mother, the God whom she adored, who made her happy, and to whom she owed her sweet and tranquil end.

The frame of mind disclosed in this letter is exactly that which inspired the will; and it is too common, surely, to be called even paradoxical. Ferrer had succeeded in convincing her reason, but not her feelings. She profoundly respected him, and so far sympathized with his practical aims as to feel sure that he would put her legacy to a good use; but she clung at once to the conception of God, and to the practices consecrated by the fuller faith in which her mother had died. It is very possible that,

[1] Mr. Hilaire Belloc (*Dublin Review*, January, 1910, p. 174) says that Ferrer, "it is presumed, embezzled the money left for masses." It is hard to see how he accomplished this particular villainy, seeing that it could not be done without the connivance of his bitter enemy (and an ardent Clerical), Signor Coppola.

[2] *Process*, p. 305.

having travelled in Spain, she drew a clear distinction between her ideal Catholicism and the Spanish clericalism which her friend designed to combat.

One last trait may be cited, to illustrate the relation between Ferrer and his benefactress. The anecdote is told by Ferrer himself, and is so far open to suspicion. The reader must form his own judgment as to whether it bears the appearance of falsehood. It is to be found in a letter written to *El Pais*, and reprinted in *El Imparcial* of October 14, 1909—the paper which contained the report of the writer's execution. After mentioning several proofs of Mlle. Meunier's full knowledge of his opinions, Ferrer proceeds: "One day we were all three at Alella, in the house of my family. As they were all thoroughly convinced Catholics, I never appeared there without getting into a religious discussion; and in the course of such a discussion I remember Mlle. Meunier turning to my mother and saying very affectionately, 'Do not let it trouble you, señora, that Francisco has changed his ideas, for he is the best man in the world.' My nephew Miguel Salillas y Ferrer, the candidate of the Committee of Social Defence[1] in the last Barcelona elections, can bear witness to this fact."

[1] An ultra-Catholic association, which was largely instrumental in hounding Ferrer to his doom.

IV

THE ESCUELA MODERNA

ALL parties admit that the house in the Rue des Petites Écuries was left to Ferrer absolutely, and without any condition whatsoever;[1] but he regarded the legacy as a trust.[2] The testatrix died on April 2, 1901, and in the following September the now famous Escuela Moderna was opened at 56 Calle Bailén, Barcelona.

The crying need for education in Spain is contested only by those who think ignorance more wholesome than knowledge for the average human soul, or whose interest lies in affecting this opinion. The deficiencies of the actual system are but faintly indicated in the fact that 10,000,000 men and women, out of a total population of less than 20,000,000, cannot read or write. In theory, it is true, elementary education has been compulsory since 1857,

[1] Here is the whole text of the paragraph making the bequest, the only allusion to Ferrer in the will:—"Je lègue à Mons. Francisco Ferrer, né à Alella, province de Barcelone (Espagne) et demeurant actuellement à Paris, 43 rue Richer, la maison sise à Paris rue des Petites Écuries, No. 11."

[2] Signor Coppola tries to make out that Mlle. Meunier believed that Ferrer wanted to start a "Model Infant Asylum." Of this he adduces no shred of proof, and a letter from Mlle. Meunier to himself, which he quotes, in no way confirms the idea. The lady, moreover, did not foresee her death, and it is abundantly established that she intended, had she lived, to endow Ferrer's enterprise. How could he possibly have hoped to deceive a living benefactress as to the nature of his work? The whole idea, indeed, is absurd, in the light of the letter above quoted.

and free, since 1901, to children whose parents are unable to pay. But the law, as a matter of fact, not only is not, but cannot be, enforced; for the material and means provided for carrying it into effect are flagrantly inadequate. From a recent volume of statistics, summarized in the *Heraldo de Madrid* in November, 1909, it appears that "while four provinces have the full complement of elementary schools required by the law, the supply in all the remaining 45 is deficient, the shortage per province being from 772 schools downwards, and the total deficiency amounting to 9505 schools. The total increase of school supply between 1870 and 1908 is 2150 schools, or an average of about 56 schools per year. At this rate it would take over 150 years to catch up even to the school provision required by the school law of 1857, without allowing for any increase of population."[1] The schoolmasters allotted by law are, roughly speaking, one to every thousand of the population; and of course the actual supply of teachers falls much below this modest allowance. The salaries of teachers range from £20 to £120 a year, and average about £40, with a free house. They have also the perquisite of a small grant for providing schoolbooks; and as there is generally no one to see that the books are actually provided, the result, in many cases, may be imagined. The control of schools in villages and small towns lies with the Ayuntamiento or Town Council, which is practically dominated by the Alcalde, often himself illiterate, and wholly careless of the interests of education. In the above-mentioned report, the Ayuntamientos are

[1] For these figures, and for other information in this chapter, I am indebted to Mr. Rafael Shaw's excellent book *Spain from Within* (London, Fisher Unwin, 1910). I may also refer the reader to *El Atraso de España*, by "John Chamberlain," *i.e.* Sr. Cazalla (Sempere y Compañia, Valencia y Madrid).

said to be in debt to teachers for arrears of salary amounting to £280,000. Under such conditions, what sort of efficiency can be expected?[1] But still more amazing things are related of the school buildings, not by irresponsible observers, but by the Minister of Education, in a report addressed to the Cortes: "More than 10,000 schools are on hired premises, and many of these are absolutely destitute of hygienic conditions. There are schools mixed up with hospitals, with cemeteries, with slaughter-houses, with stables.[2] One school forms the entrance to a cemetery, and the corpses are placed on the master's table while the last responses are being said. There is a school into which the children cannot enter until the animals have been taken out and sent to pasture. Some are so small that as soon as the warm weather begins the boys faint for want of air and ventilation.[3] One school is [surrounded by?] a manure-heap in process of fermentation, and one of the local authorities has said that in this way the children are warmer in winter. One school in Catalonia adjoins a prison. Another, in Andalusia, is turned into an enclosure for the bulls when there is a bull-fight in the town."

Is it to be wondered that Ferrer should feel that a reform of education must be the first step towards any permanent amelioration of the condition of the Spanish people?

It is a mistake, however, to suppose that Spanish education, such as it is, rests mainly in the hands of the

[1] "He is hungrier than a schoolmaster" is, says Mr. G. H. B. Ward, "a household proverb" in Spain.

[2] It will be remembered that the school at Alella, in Ferrer's time, was "little better than a stable."

[3] At Alella an inner room, with no window or means of ventilation, opens off the main schoolroom.

priests. Clerical teaching is, as a rule, a luxury for the rich. The Jesuits, the Padres Escolapios, and other orders, have many colleges, some of them large and splendid. From the heights of Tibidabo, above Barcelona, one looks down on two such institutions, housed in sumptuous buildings that would do no discredit to Oxford or Cambridge. But these are strictly commercial institutions, established to provide the upper classes with safe knowledge and sound theology. In the towns there are a good many private schools kept by nuns, but these have no high reputation. I cannot find that the religious orders contribute much to education, except purely as a matter of business, which means, of course, that they have little share in the teaching of the poorer classes. The instruction given in the official schools, however, is by way of being religious. "The schoolmaster, who has sworn to protect 'the faith,'" says Mr. G. H. B. Ward, "is rigidly supervised by the parochial priest and diocesan inspector." Though the masters are themselves, as a rule, laymen, they would probably never dream of departing from the mechanical routine of religious exercises. So-called religious pictures, of the poorest and tawdriest description, are the invariable decoration of the schoolroom walls. "The children," says Sr. Cazalla, "pass half of their school hours in prayers and recitations of the catechism and of 'sacred history.' Very few learn to write; some learn to read, by reason of the extreme ease with which Spanish lets itself be learnt." Which means, of course, that Spanish is rationally spelt.

Mr. William Heaford, in his pamphlet, *L'École Moderne*, has shown that Ferrer was not so much the initiator as the systematizer of the movement for democratic education. Ever since the revolution of 1868 sporadic efforts

had been made by intelligent members of the Spanish working-class to secure for their children something better than the miserable instruction given in the official schools. The revolt against the distressing conditions above described began to make headway about 1885, and by the end of last century there were many "Republican schools" in various towns of Spain. What was new in the Escuela Moderna was, in the first place, the application of (more or less) modern and scientific methods of pedagogy, in the second place, the inculcation of definitely rationalistic, humanitarian, anti-military and anti-patriotic doctrine. Ferrer did not at all take the view that his mission was simply to supply his countrymen with something better than the deplorable education furnished by the State. He conceived his system to be an improvement, not only on Spanish education (which would have been a modest claim) but on education as commonly practised in the world at large. He was conscious enough of the difficulty of getting his ideas carried out—of securing teachers, text-books, and school-material suited to his views. But that the views themselves were absolutely right, not for Spain alone, but for humanity, he had no doubt at all. He could not, as he said, "conceive life without propaganda"; and propaganda could not begin too early. Having attained absolute clearness on all things mundane, and convinced himself that things extra-mundane either did not exist or did not matter, he felt that the first duty of the educator was to bring this gospel home to the infant mind, before any shades of the prison-house of supernaturalism had begun to gather round it. There is not the least doubt that his teaching was not merely anti-clerical but anti-religious. And even deeper than the rebellion against supernaturalism lay the rebellion

against class domination and exploitation. State-education was in Ferrer's eyes at least as noxious as church-education.

It is perfectly true, then—and we ought not, in fairness, to lose sight of the fact—that the Escuela Moderna was unmistakably and avowedly a nursery of rebellious citizens. It might turn out "good Europeans"; but, from the point of view of any believer in the established order of things, spiritual, administrative, or economic, its whole effort was to turn out bad Spaniards. Consequently it was only natural that it should excite the utmost horror in clerical and conservative minds. Ferrer was from first to last an ardent Revolutionist. He had come to think that Spain was not yet ripe for revolution; but the whole object of his work was to correct her unripeness by educating Revolutionists. His enemies averred, and no doubt many of them sincerely believed, that his revolutionism was synonymous with violent anarchism. I have already indicated my disbelief in this accusation, and I shall have later to go into the question in more detail. But even on the hither side of violent anarchism, there was much in Ferrer's teaching that, in any country in the world, could not but strain toleration to its utmost limit. We can hardly conceive what would happen if some one were to set up in England an aggressively anti-religious, anti-monarchical, anti-patriotic, anti-militarist, anti-capitalist school, which should, moreover, beget a whole crop of imitative offshoots; but it is quite certain that there would be a great outcry, and a demand for prosecution or repression. We cannot, then, blame clericalism and militarism for combining against Ferrer, and seeking, in mere self-defence, to put a check on his activities. Had they used the law to silence him, it would have been a

fair act of war; but the accusation we are now investigating is that they abused the law to kill him.

Ferrer's initial difficulty was, of course, to find teachers able and willing to put his ideas into practice. The first, or one of the first, on whom he laid his hand was a certain Mme. Clémence Jacquinet, who is the subject of one of the favourite and most frequently-repeated legends of the prosecution. The Auditor-General, in his "dictamen," gives the story its official form. Ferrer, he says, had established "philosophico-mercantile relations" with Mme. Jacquinet, who had been in charge of a "laic school" at Sakha, in Egypt—a school which the British authorities had closed as being "prejudicial," or, as we should say, detrimental. Mme. Jacquinet, being an atheist, anti-militarist, and anarchist, was a woman after Ferrer's own heart. He therefore "snatched her from suicide," and appointed her directress of the Escuela Moderna. "Thus," the Auditor concludes, "Mme. Jacquinet, who was weeded out of the soil of Egypt, by the authorities of liberal England, as a noxious and dangerous germ, being transplanted by Ferrer to Barcelona, took root, developed, and brought forth abundant and most bitter fruits in our calumniated Spain." This eloquent passage has struck the reactionary imagination, and the fact that "liberal England" could not tolerate Ferrer's first directress has been cited in triumph by all the apologists of the Maura Government. The only misfortune is that it does not happen to be a fact at all. I was so strongly assured of this in Barcelona, that, though the matter was of small importance, I thought it worth while to go to headquarters and get at the actual truth. Information obtained from official sources in Egypt runs as follows (I omit some details which have no reference to

Mme. Jacquinet): "About ten years ago, a certain Hassan Pasha Tawfik was Inspector of the Domains, and lived at Sakha. Clémence Jacquinet was governess to his children, and also used to give lessons in a school on the Domains lands at Sakha. The school contained about 200 boys and 30 girls. Mlle. Jacquinet stayed for a year with the Pasha at Sakha, and when he retired on a pension she came with him to Cairo. . . . Six months after their departure, the school closed for want of funds and order, for the Domains had ceased their contributions, and the Pasha his 'benevolences.' There is no ground for the statement that the British authorities 'ordered the Pasha to dismiss her and close the school.' It was rather a case of 'le combat cessa, faute de combattants.' The pupils vanished with the funds, and the funds vanished with the Pasha. . . . Mlle. Jacquinet remained with the Pasha for two years in Cairo, and then left for Europe. She is still in correspondence with the Pasha and his son, formerly an employee of the Museum, and now at the Ministry for Foreign Affairs." How the myth of Mme. Jacquinet's expulsion from Egypt came into existence it is impossible to say. Probably A said to B, "She must have been expelled," and B said to C, "She was." But the fact that the Auditor-General, professing to proceed upon documentary evidence, should dwell with rhetorical emphasis on this wholly unfounded statement, shows with what uncritical avidity Ferrer's soldier-judges seized upon every rumour that could be cited to his prejudice, and set it down as a fact.[1]

[1] The Auditor-General is an officer whose business it was to send up the sentence of the Military Tribunal to the Captain-General of Catalonia, accompanied by a report recommending that it should be confirmed or annulled, as the case might be. *As a matter of fact, the report is simply a* third indictment, supplementing those of the Prosecutor and the Assessor, and

There is no doubt, however, that Mme. Jacquinet's opinions, when she took up her position at the Escuela Moderna, were pretty much what the Auditor represents them to have been. She was an atheist, an anti-militarist, and, in a certain sense, an anarchist. "In a certain sense?" the reader may say. "Then in what sense?" In the same sense, probably, in which Ferrer was an anarchist. It is time that we should look more closely into this question.

In the manufacturing regions of Spain, the majority of the working class, who in other countries would call themselves socialists, reject the necessity for organization which all sane socialists admit, and prefer to call themselves anarchists. The reasons for this are not quite easy to define, but may probably be reduced to three. In the first place, the workmen as a class are too ignorant to form any clear conception of the complex mechanism of society, and its absolute dependence on some sort of directing intelligence. In the second place, the Spanish character, when awakened to thought at all, is prone to idealistic dreaming. In the third place—and this is perhaps the strongest reason—a people which suffers daily from the evils of highly-centralized misgovernment, is naturally apt to confound organization with a vicious centralization, and to fly from a bad system to the specious alternative of no system. This tendency towards anarchism renders Spanish socialism comparatively weak.

But are we to conclude that the majority of Spanish workmen believe in, and practice, assassination, bomb-throwing, and the other manifestations of "anarchism" as it is popularly understood throughout Europe?

introducing all sorts of fresh matter never submitted to the Court or brought to the knowledge of the accused or his Defender.

Certainly not. The distinction between anarchism as a political theory and "anarquismo de acción" or terrorism, is perfectly clear and perfectly recognized—except by those who, hating all social idealism, make it a point of policy to represent every radical as an actual or probable dynamiter. The anarchists of Spain are a large political party; the terrorists, when they are not mere individual fanatics, or scoundrels suborned by reactionism, are at most an insignificant group. In order to counteract in some degree the misapprehensions arising from the ambiguity of the word "anarchist," another word, "acratist" or "opponent of power," is often applied in Spain to the theoretical anarchist. Now, Ferrer was unquestionably an "acratist." He was thoroughly opposed to military and capitalistic domination and exploitation.[1] There is nothing to show that he had given much thought to the question of an ideal organization of society, and it is very probable that, like so many of the class from which he sprang, he instinctively tended to underrate the necessity for any formal organization whatever. In other words, he was an idealistic libertarian and equalitarian. That he was at any time a terrorist, there is no proof whatever. There is proof, if we accept in its entirety a document already mentioned and to be examined later, that in the early 'nineties he was prepared to organize what was designed to be a ruthlessly sanguinary revolt; but this is a quite different thing from approving the insensate crimes of unorganized terrorism. And whatever may have been his sentiments in 1892, we have the clearest evidence that he soon after underwent a total

[1] Compare Prince Kropotkin's definition of anarchism as the doctrine which seeks "to abolish the oppressive centralized organization of the State, whose historical mission always was to protect and to maintain the exploitation of man by man."

change of heart in regard to political action. Some of that evidence must be reserved for a later point; in the meantime, I shall merely quote his "Profession of Faith," written while he was awaiting trial for complicity in Morral's attempt on the life of the King and Queen of Spain—a crime which, as we shall see in the next chapter, his enemies conspicuously failed to bring home to him. His declaration appeared in the *España Nueva* of November 14, 1906, and ran as follows:—

I detest all party names, from that of anarchist to that of Carlist, for they are all obstacles to the educational work undertaken by the Escuela Moderna. . . .

I have always denied to the Court that I am an anarchist. I have denied it because here an anarchist is thought of as a bloodthirsty being, an enemy of humanity, and a partizan of evil for evil's sake; whereas I am none of these things.

On the contrary, I detest the shedding of blood, I work for the regeneration of humanity, and I love good for its own sake.

But if I am called an anarchist on the ground of a published phrase of mine in which I speak of *ideas of demolition in the brain*, I reply that here is the collection of the books and "Bulletins" published by the Escuela Moderna, in which will be found, in effect, ideas of demolition; but, mark this well, *ideas of demolition in the brain*—that is to say, the introduction into the brain of the rational and scientific spirit, for the demolition of all prejudice. Is this anarchism? If it be, I declare I did not know it; but in that case I should be an anarchist inasmuch as anarchism would seem to have adopted my ideas of education, of peace and of love, not because I have adopted any of its methods or processes.

Ferrer appeals, we see, to the publications of the Escuela Moderna to show whether he was engaged in

training a generation of "anarquistas de acción." These publications run to over forty small red-covered volumes, and are very varied in their contents. Some are primers of reading, arithmetic, geometry, geography, grammar, etc. Some are outlines of history. Some are story-books for children. Others are serious treatises like Malvert's *Origen del Cristianismo*, *La Substancia Universal* by Bloch and Paraf-Javal, and Lluria's *Evolución Super-Organica*,[1] furnished with a preface by Dr. Ramón y Cajál, a leader among Spanish men of science, to whom one of the Nobel Prizes was awarded some years ago.[2] I do not profess to have been all through the forty volumes, but I have dipped into them at many of the points where inflammatory teachings seemed most likely to occur, and I have found nothing that can reasonably be construed as incitement to violence or immorality. The teaching is frankly "acratist," frankly inspired by the principle "ni dieu, ni maître"; but there is no forecast, no suggestion, of any resort to arms, and much less any recommendation or palliation of terrorism. I do not even find that, in passages treating of religion, there is any unseemly scoffing or vulgar scurrility.

To gain a clear insight into the spirit of Ferrer's teaching, we cannot do better than turn to his "Second Reading Book," a translation by Anselmo Lorenzo of *The Adventures of Nono*, by Jean Grave. I have before me a copy of the second edition, to which Ferrer himself prefixes a note to the effect that, in three years of practical use, it has established itself as the children's favourite

[1] This work may be read in English, translated by Miss Rachel Challice.

[2] Most of the books are translated from the French. Ferrer himself made no contribution to the series. The only book he is known to have written is a method of *Espagnol pratique*, published by Garnier in the days when he was teaching in Paris.

book, and has more than fulfilled the hopes founded on it. The pupils, he says, read it and make their own comments upon it, under the direction of the teachers. It penetrates to their intelligence and implants in them a rooted conviction of the possibility of an order of things in which peace and happiness shall reign supreme, very unlike our present condition of social injustice, strife and unhappiness.

Using the old-established mechanism of a dream, the author sends his ten-year-old hero, Nono, through a series of laboriously allegorical experiences. He has gone to bed rather excited, for he has been a particularly good boy for some time, and his father has promised to take him out next day and let him choose a picture-book for himself—"not an expensive one, of course, for the parents of Nono were working people, and the rich people squander money on frivolities to such a degree that scarcely anything is left over for the working people to buy their children what they require." His excitement starts him off on a dream which, after beginning with the usual encounters with talking insects and so forth, soon develops into a sort of politico-economical *Pilgrim's Progress*.

He saves a bee from drowning in a fountain, and the grateful insect leads him to the palace of its mother, a magnificent lady seated on the softest cushions, and served by numerous attendants with exquisite foods, and beverages of delicious perfume. Seeing Nono hesitate to approach her, she says in a melodious voice, "Do I frighten you, my child?" Now Nono has often heard it said, in his father's house, that kings, queens, emperors and empresses are flesh and blood like other people, differing only in the cut and quality of their clothes; but at school he has

heard so much of their power, and their influence over the destinies of the peoples, that his imagination cannot but attribute to them some essential superiority. Having heard, too, that the bees are governed by a queen, he does not for a moment doubt that he is in the presence of that august personage.

"No, your majesty," he makes haste to answer.

"Who has told you that I am a queen?" asks the lady smiling.

"I can see it, your majesty," replies the child.

"In what way can you see it?"

"Because I can see the other bees doing you service; and besides, because you wear a crown."

"That is all nonsense," says the lady, laughing frankly. "You take my hair for a crown; and as for the bees that you see serving me, you must know that they are not slaves, nor ladies of the bedchamber, nor servants, but good daughters who love to care for their mother."

Nono excuses himself by saying that he has been taught at school that the bees are governed by a queen.

"My child," says the lady, resuming her habitual gravity, though still with a kindly smile, "Your teacher is an ignoramus, who talks of what he knows nothing about. Studying the life of our hives, men have judged our customs by their own. They think of me as a privileged being, as useless as a king, to whom the others owe obedience, and whose will regulates the work of the hives. The partizans of authority have found in this error an argument in their own favour, and go on teaching in schools that the bees are governed by a queen."

She then proceeds to expound the division of labour as practised in the bee community, but draws a veil, if I

am not mistaken, over some of its incidents. The word "drone" nowhere occurs in her exposition.

After leaving the palace of the mother-bee, Nono finds himself face to face with a tall and beautiful woman beneath whose amiable smile he discerns a strong will and potent energy. She is none other than the fairy Solidaria, who conducts him to the delightful region of Autonomy, entirely peopled by good and happy children—Mab, Hans, Pat, Sandy, Riri, Toto, Biquette, Delia, etc. Here, too, we meet the beneficent genius of Labor, and his sister Liberta, the fairy Electricia, and one or two other allegorical characters. Nono's life in the land of Autonomy occupies several chapters, very much in the style of the ordinary moral story-book.

But one day, when the children are out in the woods, under the care of Professor Botanico, Nono, in chasing a butterfly, gets separated from his companions, and runs against a strange personage—"a pot-bellied, flat-nosed gentleman, of vulgar aspect; richly dressed; an enormous gold chain dangling in front of his corporation; his shirt-front gleaming with diamonds; a great carbuncle in the knot of his cravat, his fingers covered with rings; and leaning on a gold staff." Though Nono does not know it, this personage is in reality Monadio, King of the neighbouring and hostile realm of Argirocracy. They get into conversation, and the stranger tactlessly remarks, "I suppose you are out for a ramble with your masters?"

"We have no masters," answers Nono energetically. "They are our friends; they work, play and amuse themselves with us. They teach us what they know; but they never oblige us to do what we do not want to do."

The stranger speaks with a cynical scepticism of the joys of Autonomy, and, through a pair of magic field-

glasses, displays to Nono the splendours of Argirocracy. Though somewhat impressed by what he sees, Nono remains loyal to Solidaria, Botanico and the rest; and Monadio has at last to carry him off by force, after a series of exciting adventures.

In Argirocracy, Nono finds himself deserted and miserable, among a miserable population. In this kingdom of capitalism there are three classes of people: "those who enjoy all pleasures and do nothing; those who work and enjoy no pleasure; and those who, in the interests of the former class, force the latter class to work."

Whatever may be the number of the do-nothings, it is evident that they could not long have secured the obedience of those who have to work continually in the midst of privations, had it not been for the astuteness of Monadio and his ministers.

This astuteness lay in persuading people that if there were no one to put in prison those who refuse to do what they dislike doing, it would be impossible to arrange the business life and to be free—that people would dispute and wrangle, and finally die of hunger.

Further, it was contended that there must be a class of people who live in continual festivity, and squander without ceasing, in order that those who are obliged to produce may have plenty of work, and a little to eat.

All this had been inculcated on the Argirocracians, from father to son, for thousands of years, and they, poor people, were absolutely persuaded that it was impossible to live in any other way.

After many painful experiences, Nono reaches Monadia, the capital of this realm. Here he observes a curious phenomenon. He sees a great many men in various uniforms—soldiers, policemen, custom-house and octroi

officers—and the odd thing is that they all appear to have a double countenance, looking now like men, and again like beasts or birds of prey, according to the angle from which you regard them. He soon learns the reason of this ambiguous physiognomy :—

As to the soldiers, they were chosen among the sons of workmen and peasants, and, as soon as they had donned their uniform, their faces began to change into the likeness of a mastiff.

Those who could not acquire this aspect were sent far away, to unknown countries, whence they seldom returned. Others very soon died, because the crisis of transformation was too much for them.

Yet this was only the first step; those who survived it generally passed with ease to a further change, and assumed the appearance of tigers, which they preserved to their dying day.

There were, however, in the army some who never arrived at that physiognomy, and could not pass beyond the appearance of greyhounds or retrievers. Of these, that they might not lack some evil employment, they made revenue officers or detectives. Some of these wore no uniform, their duty being to mix with the people in the streets, and particularly with the workmen in their workshops and taverns, and to report everything they heard to the ministers of Monadio. These wore a countenance somewhere between a retriever and a ferret, and spread around them a pestiferous odour, which they tried, by dint of precautions, to disguise as much as possible.

Owing to the force of habit, however, all these differences of aspect soon became almost imperceptible to the inhabitants of the country. Even Nono, after a time, was unable to discern them.

Among the masters, these particularities were more strongly emphasized, and always ended in a resemblance to wolves, eagles, crows, panthers, serpents, etc.

Those who assumed the aspect of wolves, tigers, and panthers were made officers in the army of Monadia. The crows, hyenas, and jackals entered the magistracy, whose duty it was to put out of the way the enemies of King Monadio, and to lock up in prisons or similar establishments those whom age or infirmity prevented from working, and whose presence in public places would have imperilled the tranquillity of those who do nothing.

There were some who took the form of turkeys and peacocks: these were the courtiers of King Monadio. Some who wore the appearance of guinea-pigs, made no pretence of working at all, but confined themselves to eating, drinking, sleeping, and loafing around.

Finally, the foremen and overseers, whom the masters had raised from the ranks to posts of authority over their fellow-workers, assumed the appearance of wolves and mastiffs.

Nono at last apprentices himself to a tailor, who of course "sweats" him. Here he lives for some time in peace; but unfortunately he gets into the habit of vaunting to his companions the blissful life of Autonomy, and when this comes to the ears of the authorities they have him arrested on a charge of preaching subversive doctrines and sowing dissensions in the state. The picture of Nono in prison, living on mouldy black bread and water, must often have recurred to Ferrer while awaiting his trial in the Carcel Celular of Barcelona; but Ferrer, as we shall see, had worse things to endure than black bread and water. In many other respects he must have been reminded of *The Adventures of Nono*, in the course of his own adventures with the justice of his country.

Next day, Nono is brought before two officials of the law. One has the head of a jackal, and "exhales a repugnant odour." This is the examining magistrate, charged

with the "instruction" of his case. The other functionary has before him paper, ink, and pens, and is evidently the Prosecutor. He reminds Nono of a beetle.

The jackal, in a voice of hypocritical solemnity, asks him if he knows what is the charge against him?

"No, sir," replies Nono. "I hope that you will tell me."

"Do not pretend ignorance. You know very well that you have been guilty of inciting to disobedience to law, contempt for our august monarch, and rebellion against our sacred institutions."

Nono is silent for a moment, wondering whether he can be an abandoned criminal without knowing it.

"You see," continues the jackal, "you dare not answer. Come, my child—a good impulse! Confess, and it will be put down to your credit," he adds, "with mellifluous hypocrisy."

"Your august monarch is a rascal," Nono replies, "who deceived me abominably in order to carry me off from Autonomy. I have always wanted to leave this accursed country and return to my dear Solidaria!"

The jackal raises his two front paws to heaven, and cries "Guards! keep this criminal in close custody! Lead him back to his dungeon!"

For a long time Nono sees no one, except a man in black, with white bands, who one day presents himself under pretext of talking of what will happen to Nono after his death. The physiognomy of this personage is the most repugnant of all, for, along with several traits common to all myrmidons of justice, he combines something of the appearance of a cockroach. Nono begs his visitor to leave him in peace.

At last he is brought to trial in a court crowded with

Monadians of all classes. "The variety of types was so great that for a moment Nono thought he must be in the Zoological Gardens. One half of the hall was filled with people dressed in black; they all had the faces of magpies and parrots. The rest of the court, separated by a railing, was occupied by people of the miserable classes; and there the likeness to oxen, sheep, and asses predominated.

"When Nono was placed at the bar, a sort of magpie called out in a cracked voice: 'The Court!' and there appeared on the platform four gentlemen, three in black robes and one in red, with square caps and broad galloons of gold. The red one, like a vulture, took his seat on the tribune near the notables; and the three black ones, who resembled a red owl, a barn owl, and an eaglet, seated themselves behind a sort of counter."[1]

Here we have done—certainly none too soon—with this simple method of zoological satire. The trial of Nono is conducted in the same style as the preliminary investigation, and he is sentenced to imprisonment for life. Then two of his companions, Hans and Mab, set out from Autonomy to search for him, provided with an ever-filled purse, and accompanied by a dancing pig and a swallow, who is, so to speak, the intelligence-department of the expedition. After many sad experiences of the evils of life in Argirocracy, they make their way into Nono's prison, and are on the point of rescuing him, when—Nono wakes up in his bed at home in Paris. When he recounts his dream to his parents, the father sagely observes that

[1] This passage was quoted, with not unnatural reprobation, by Sr. Ugarte, Prosecutor of the Supreme Court, in his report to the Government on the Barcelona Riots. It was Sr. Ugarte who first gave official form to the theory of Ferrer's guilt.

there are many things in it which seem beyond the understanding of a child of his age.

I have gone at length into *The Adventures of Nono*, because we have Ferrer's own word for its popularity in the school, and for his entire approval of the doctrine it conveys. Evidently, then, it may be taken as fairly representing the moral and political tendencies which prevailed in the Escuela Moderna. To a conservative mind, these tendencies are naturally abhorrent; and even a liberal mind may well doubt the wisdom of filling a child's brain with such ideas. But this is the criticism of the citizen of Argirocracy, the very person against whom the author's satire is mainly directed, and who naturally does not like it. If we start from the axiom that it is wrong to "stir up class against class," such a book as *The Adventures of Nono* is manifestly condemnable. But this comfortable axiom of the comfortable classes cannot have any validity for those who ardently believe that one class inflicts, while another suffers, cruel and crying injustice, to the great detriment of both classes. If the man who holds and disseminates this opinion is to be treated as a criminal, there is an end to freedom of speech, an end to toleration. Nor can it plausibly be maintained that the law should step in and say, "You may preach this doctrine to men, but you must not teach it to children." The distinction between justice and injustice is perhaps the first moral distinction which a child can and does grasp, and it would be ridiculous to pretend that it lies outside the proper sphere of education. Our instinctive plea, that it is not fair to prejudice the mind of a child on subjects which he cannot fully understand, is nothing but a fallacy of bourgeois self-defence. We are ready enough to teach children that they must order themselves lowly and reverently to all

their betters, and do their duty in that state of life unto which it has pleased God to call them,—why, then, should those who hold the opposite view abstain from inculcating it on the receptive mind of childhood? Why should we, of the privileged classes, claim an exclusive right to indoctrinate children with our views of social order? The claim is not tenable in reason for a single moment.

But if the teacher urges and incites to violent methods of vindicating his ideals of social justice, the case is altered. Every nation asserts the right to prohibit and put down any proceedings directly calculated to lead to what in English law is termed a breach of the peace. Was this the tendency of Ferrer's teaching? Did it incite to acts of violence and illegality? There is in *The Adventures of Nono* one doubtful passage, where Hans and Mab treat sympathetically, and aid in his flight, a starving youth who has struck a rich man who refused with insult to give him alms. The incident occupies only half a page, and is in no way emphasized; but it undeniably tends to palliate an assault prompted by hunger and despair. Otherwise there is not the slightest suggestion of violent revolt, much less of the methods usually associated with "anarchism." The spirit of the book is purely, and even sentimentally, humanitarian.

Another book in which the tendencies of the Escuela Moderna may be clearly read is the *Compendium of Universal History*, by Clémence Jacquinet, whose name is already known to us. It was the first of Ferrer's school-books, and opens with this prefatory note—

LA ESCUELA MODERNA

inaugurates the series of its publications in paying homage to those who have suffered and suffer in the evolution and

progress of humanity, while at the same time affirming its ideal of justice and of peace.

The Founder.	*The Directress.*
F. FERRER GUARDIA.	CL. JACQUINET.

The book consists of three small volumes, and is divided into five parts—

I. From Prehistoric Times to the Roman Empire.
II. The Middle Ages.
III. Modern Times.
IV. The French Revolution and its Consequences.
V. From Napoleon to Our Own Days.

Such a work could not but be sketchy and superficial. Mme. Jacquinet, indeed, is not greatly concerned to crowd her pages with facts, and devotes the bulk of her space to her own interpretation of the great movements of history. Her passages on Christianity and on patriotism are perhaps as characteristic as anything in her book. After tracing the doctrines and practices of Christianity to three main sources, Stoicism, Neo-Platonism, and Buddhism, she sums up as follows:—

Very far from being a civilizing force, Christianity has always, throughout the course of history, placed obstacles in the path of progress. We shall find in it the negation of science, which disproves its dogmas; the firmest support of absolutism, and of the inequality of the social classes; the oppressor of the human conscience in the clamps of its false morality; the odious standard in whose shadow all crimes have been committed; the vampire ever thirsting for blood, to whom have been sacrificed millions of victims.

Now it is the turn of patriotism—

The idea of the fatherland is the well-spring of all hatred

and all injustice. Born of war, it prevents the peoples from knowing and appreciating each other, and from mingling in fraternal solidarity. . . . In regard to history, children are taught nothing but the wars which their country has waged against others, every effort being made to underestimate the losses suffered by their own side and exaggerate the damage done to the other side. Hatred of the foreigner is fostered throughout life by all possible means, because it is a great resource to the governing classes, permitting them to maintain armies which are always ready for anything.

Rapacity and hatred are allied, in the patriotic idea, with a vanity which would form the comic side of the matter if it were not painful as an exhibition of human blindness. . . .

We shall be told that the idea of patriotism has inspired sublime heroisms; to which we reply that these heroisms have in our own judgment been developed in spite of the patriotic sentiment; that their true cause was the love of our fellow-men, and that on the day when we shall no longer see ourselves confined within narrow and irrational barriers, humanity will have infinitely greater power to inspire abnegation.

In her review of recent times, Mme. Jacquinet takes up an uncompromisingly "acratist" attitude. She will have nothing to do with constitutionalism or parliamentary government. "To delegate your power is to lose it," she quotes from Elisée Reclus; and again, "To vote is to debase yourself"—a saying which she holds to be "as just as it is beautiful." How society is to be organized, or rather how it is to get on without organization, she does not explain.

On the other hand, we occasionally find Ferrer toning down, for juvenile consumption, the acratism of his French originals. This is very noticeable in his *Cartilla* or First

Reading Book, which, beginning with the alphabet and sillabary, ends with a condensed translation of a pamphlet by Paraf-Javal, entitled *L'Humanité: Interview de son Oncle par ma Nièce.* In Ferrer's version of this materialist catechism, three things strike us: first, the niece becomes a nephew; second, a paragraph on the reproductive function is omitted; third, a long final section is wholly suppressed, in which the Uncle develops his conception of a materialist morality, ending "Anarchy is the doctrine of the future. Even at present, among anarchists, we ought to practise it." There is nothing very startling in the suppressed section—nothing, probably, of which Ferrer disapproved. But there are sentiments such as this:—"The legislators of all countries are a band of megalomaniacs, victims of authoritary mania, for the most part tobacco-poisoned and alcoholized, of an unimaginable unscrupulousness and ignorance"—which it is pleasant to find that Ferrer did not hold to be precisely milk for babes.

More important, however, than the text-books, as evidence of the spirit and methods of the Escuela Moderna, is the monthly "Boletin" which it issued. Of the two series or "epochs" of this publication, sixty-two numbers in all appeared; and I have gone pretty carefully through all of them except the first ten, which were inaccessible to me. The "Boletin" is, in fact, a journal of education, addressed, not to children, but to parents, and more especially to teachers. It consists very largely of translations from Paul Robin, Elisée Reclus, Flammarion, Anatole France, Gustave Hervé, Herbert Spencer, Haeckel, Kropotkin, Gorki, Tolstoy, and French, Belgian, Italian, and American specialists in education and hygiene. There are, however, a few declarations, either signed by Ferrer

himself, or manifestly proceeding from him. The most important, perhaps, was published in the first number of the second series, May, 1908. The ordinary governmental or government-sanctioned schools of the day, he says (referring not to Spain alone), are mere instruments of capitalist and militarist reaction—

> They have only one clear idea and one desire: that the children shall learn to obey, to believe, and to think according to the social dogmas which rule us. . . . The object is always to impose on the child ready-made thoughts; to debar him from all thinking which does not tend to the conservation of existing institutions: to make of him, in short, a personage strictly adapted to the social mechanism. . . . The whole value of education lies in respect for the physical, intellectual, and moral will of the child. . . . But nothing is more difficult than this respect. The educator as we know him always imposes, obliges, forces; whereas the true educator is he who can defend the child even against his (the educator's) own ideas and volitions, appealing in a higher degree to the energies of the child himself. . . .

It need not be said that co-education was a fundamental principle of the school; or that teachers "had to renounce all punishment, material or moral," except such as might lie in the necessary consequences of the fault itself. Rewards no less than punishments were tabooed, and the incentive of competition so far as possible eliminated. The merits of "integral education" are frequently insisted on: a phrase which I take to be used in contradistinction to "primary," "secondary," and "higher" education, and to imply a sort of normal curriculum, not founded on any class distinctions, but equally fitted for every citizen.

It is impossible not to smile at Ferrer's assumption that dogmatism is foreign to the spirit and method of the

Escuela Moderna. He himself provides the best commentary on this illusion by printing frequent extracts from the essays of pupils. The little people—their ages are generally stated, and range from 9 to 13—simply repeat, with a touching gravity and conviction, the collectivist and humanitarian dogmas which have been instilled into them. Of independent thought, or criticism of the official notions, there is never a trace. It would be absurd, of course, to look for anything of the kind: I merely point out that if the masters made any attempt to "defend" the pupils against the influence of authority and dogma, they were absolutely unsuccessful. Many of the ideas enunciated by these babes and sucklings are, to me, acceptable enough; yet I cannot but feel that a generation thus indoctrinated would be apt to abound, if not in fanatics, at least in prigs.

It seems to have been a custom to read out these "sententiæ pueriles" at the little festivity—the prize-giving without prizes—which brought the school year to a close. I quote a few specimens which fairly represent the spirit of the whole. Any one specimen, indeed, might fairly represent all the others; for they are as like as bricks in a wall—

KISSING THE PRIEST'S HAND.

There are many children with whom this is a habit though they know that priests are men like any one else, and that they preach what they do not believe. Moreover, they invite religious persons to drop coins into a box for the souls of the dead, and as there are no souls to receive them, it follows that the real object is that the priests may enjoy themselves at the expense of the ignorant.

EDUCATION.

Education may be very good or very bad, according to what is taught. It is good when rational things are taught, such as science. It is bad when metaphysical things are taught, such as religion.

LOS TOROS.

In the Roman times, human slaves fought with lions and tigers. On other occasions men fought with each other, and the brutalized public compelled the victor to kill the vanquished. To-day we no longer do that, but we still have bull-fights, in which men first enrage and then kill the poor animals. What sort of a public is it which enjoys this spectacle of torture and death!

THE GOVERNMENT AND THE SOLDIERS.

The Government commands and authorizes what is not just. For example: it forces into the army and sends to the war those who have not money to pay for their release. If the soldiers whom they command to kill men and burn villages remembered that they do not need to kill or burn any one or anything, then those who enjoy the benefits of war would have to do their own fighting.

INSTRUCTION.

Instruction is to the intelligence what food is to the body. It perfects the human race, elevates the spirit of man, purifies and embellishes it. By its means we must solve the social question which is agitating us, and establish the empire of justice, now so necessary in order that the human race may consider itself a true family, and men may reach the point of loving each other like real brothers.

The Microscope.

Ancient science was kept back by the fact that it had no means of observation but the unaided vision. To-day science has at its command the microscope, with which we can see the germs of diseases, and the organs of animals and vegetables with their component parts. The microscope is an invention of free men; fanatics are incapable of inventing anything, because they impute everything to their God.

The Pious.

The pious say that we must not believe in science or practise its teachings. They say there is an all-powerful God; in that case, if he can do everything, why does he suffer the rich to exploit the poor?

The Police.

The police arrest unhappy people who have stolen a loaf for their family; they take them to prison, and thus make the misery greater.

The Tavern.

What a pity that there exist an infinity of taverns, instead of free schools! In the tavern men brutalize themselves, and squander the resources of their families. Women, too, suffer and degenerate, and children run about the streets neglected, badly fed and badly clothed; and when they come to be men, not knowing how to read or write, they go the same way as their parents.

Parasites.

Certain vegetable and animal organisms, which live at the expense of others, and do nothing for themselves, are

called parasites. There are parasites, too, in human society. The rich men and the priests live upon the workman until he is completely exhausted.

I have kept for the last an extract which has a tragic significance little foreseen when it was published in 1904. A girl writes as follows:—

THE INQUISITION.

. . . But are these times really past, and only matters of history? We have still, not very far from this truth-teaching school (*verdadera Escuela*), a castle which is the centre of infection, with moats, subterranean passages and dungeons. Even in the cultivated republic of the United States, a prisoner is seated in a chair prepared for the purpose, and carbonized by electricity. In all countries there is some example of this Inquisition. It is time that this relic of barbarism should disappear. Catalonia is dishonoured by the presence of that castle, whose history strikes horror to the traveller. It is necessary that we should destroy that fantasm, and on its site lay out a beautiful park; and surely the free people who enjoy it will sometimes think with sorrow of the martyrs who rest under its verdure.

The "castle" thus stigmatized was, of course, Montjuich. It waited patiently for five years, and then it had its revenge.

Some Dutch schoolmasters, it would seem, expressed doubts as to the genuineness of the utterances of these young philosophers, who were thereupon asked to state their reflections upon this wholly gratuitous scepticism. A girl of 13 wrote—

The thoughts which are printed in the Bulletin are the work of our own intelligence; otherwise it would be a

deception to publish them, and our teachers would be hypocrites.

A boy of twelve thus expressed himself—

We can speak of the evils of society, such as religion, property, war, and government, not only because of the explanations of our teachers, but because we have arrived at an understanding of justice and truth. We adopt the ideas which we maintain because we know the truth, because we know what are the scourges of humanity, and because we want to lead an industrious and happy life, uniting ourselves with the whole human race in the indissoluble bonds of fraternity, accompanied by liberty and equality.

Another girl of 13—

We write down these thoughts because every day we receive lessons on some subjects connected with society, religion, property, government, etc., and we understand them, or if sometimes we don't, they are repeated to us until we grasp them well.

Now listen to a boy of 10—

Perhaps these professors think our brain is not yet sufficiently developed, and I say nothing to the contrary; but if a child is always given rational explanations, he will acquire as much intelligence as some grown-up persons—if not more.

A shrewd rap for the Dutch professors!

Whatever we may think of the wisdom of Ferrer's educational methods, every page of these "Boletines" bears witness to the sincerity of his enthusiasm. To Clericals, Conservatives, and even to middle-class Liberals, they must have given constant offence; but I find in them —with the exception of one article—nothing that goes

beyond a reasonable liberty in the expression of opinion. The one article excepted is a translation from the French of Dr. Meslier, a Socialist deputy, which appeared on November 30, 1905. It is an argument for the right of insurrection, and even of tyrannicide, when a people has no other resource against intolerable wrongs. It glorifies Harmodius and Aristogiton, Brutus, Marat and Hébert, and expresses the opinion that M. de Plevhé and the Grand-Duke Sergius met only their deserts. It contains no sentiments that have not been uttered a hundred times in every college debating-club; but it is undoubtedly, if not an incitement to, at least a palliation of, violence.[1] Had it been produced in evidence against Ferrer in either of his trials, it might not unjustly have prejudiced his case. It may be pointed out, however, that, as believers in Ferrer's guilt must—and do—allege him to have been a profound and accomplished hypocrite, they will have some difficulty in making his publication of such sentiments tally with that fundamental axiom of their creed. No sane man who was actually contemplating deeds of violence, while hoping to elude punishment for them, would have dreamt of printing Dr. Meslier's discourse.

The Escuela Moderna opened on September 8, 1901, with 30 pupils, of whom 12 were girls. "There was," says Anselmo Lorenzo, "a large attendance of representatives of scientific bodies and labour organizations, and Francisco Ferrer presided. . . . I well remember the

[1] It may be worth while to put alongside of this theoretical defence of tyrannicide an extract from an article by Hubert Lagardelle, published in the *Boletin* for April 1, 1909, barely four months before the "Revolution": "After all, every practically revolutionary action is bound to be slow and progressive. It would be puerile to expect miracles of life. No mutiny, no insurrection, no *coup d'état* will ever effect the smallest transformation of the intimate reality of things."

emotion of Ferrer at that moment, and the simple and unaffected greatness of his words"—

I salute you, dear children, who are the end and object of the institution which is born at this moment, the initial point of the practical life of an idea which will endure along with humanity. I salute you, parents who have honoured us with your confidence. I salute you, workers who, as representatives of your comrades, do honour to this occasion. Let us all understand that we are not merely one school the more, but that we are the first, and as yet the only school which refuses submission to the powerful, which raises up the disinherited, which establishes the equality of classes and sexes, which puts within the intellectual reach of boys and girls the knowledge of nature and the last word of science, without respect to privilege, as a homage due to truth and justice.

By the end of its first year the school counted 70 pupils; and its numbers steadily rose until, in 1905, they reached 126. But the influence of the school was by no means to be measured by the mere number of pupils. It gave an extraordinary impulse to education, not only in Catalonia, not only in Spain, but more particularly in South America. Old schools were reorganized, and new schools started, upon the model of Ferrer's enterprise; and the text-books which he published found a wide circulation.[1] According to the Auditor-General, there

[1] In 1905, they were used, not only in many schools in Catalonia, but also in Seville, Malaga, Granada, Cordova, Cartagena, and Cadiz. Anselmo Lorenzo, however, tells us that the extension of Ferrer's influence has to be taken with a good deal of discount. Many schools called themselves "rationalist" merely to be in the fashion, and because Ferrer supplied them with books, and even scholastic material, on credit. But when the fashion passed, and the danger began to appear, many of these schools called themselves "laic" instead of "rationalist," dismissed the books of the Escuela Moderna without paying for them, adopted others for which they had to pay

were, in 1906,[1] in the province of Barcelona alone, "47 sucursales de la Escuela Moderna." Mr. Hilaire Belloc, concerned to explain to the readers of a Catholic review[2] why the Spanish Government did not simply suppress the schools and have done with it, has to admit that "the system of public elementary education in Spain is so insufficient that it would be difficult for a Government to protest against very well-managed and well-equipped schools such as those which Ferrer had created."

So, for five years, all went well. On Good Friday, April 12, 1906, seventeen hundred pupils of the free schools of Catalonia were assembled at a festival in Barcelona, in pursuance of a custom which has obtained for many years among Spanish anti-clericals. The choice of such a day for such a celebration causes, and is meant to cause, great offence to the Clerical party; and, in a land of religious equality, it would certainly be a sin against good taste. Spain not being such a land, it is doubtful how far our standards of good taste apply; but, at any rate, it was in this case an act of *hubris*, of overweening confidence—and Nemesis punctually followed in its track. It was only six weeks later, on May 31, 1906, that Mateo Morral, who had been employed as librarian at the Escuela Moderna, threw a bomb at the newly-wedded King and Queen of Spain, as their marriage procession passed along the Calle Mayor of Madrid. They escaped uninjured, but 15 people were killed and many wounded. Ferrer was arrested; the Escuela Moderna and many others were closed; and, though he was acquitted of complicity in

money down, taught patriotic history, made their pupils learn lessons by rote and sing the hymn to the flag, and introduced examinations and prizes—all which things were anathema to Ferrer.

[1] *Process*, p. 310.

[2] *Dublin Review*, January, 1910, p. 175.

Morral's mad act, it was undoubtedly the beginning of his end.

Having gone at such length into the substance and methods of Ferrer's teaching, I must repeat with emphasis that all this has nothing to do with the justice or injustice of his sentence and execution. It was not as a deleterious educator that he was condemned, but solely as "author and chief" of the Barcelona riots. His soldier-accusers generously applauded their own moderation in not dragging in the enormities of the Escuela Moderna to the prejudice of the accused;[1] while Ferrer offered to put all his publications in evidence, but was denied any opportunity of doing so. This chapter, then, is, strictly speaking, irrelevant to the issue we are examining. The reader must put aside his impressions of Ferrer's doctrine when the time comes for forming his judgment as to Ferrer's guilt or innocence of the crime for which he was shot. On the other hand, if we find him innocent of that crime, and are amazed at the virulence of the hatred which strained every nerve to hurry him to his death, we cannot too clearly remember *The Adventures of Nono*, the passage on Christianity quoted from the *Compendium of Universal History*, and the tone of the juvenile philosophers in their published deliverances on priests, soldiers, and other sacred subjects.

[1] Practically, of course, this self-congratulation was a self-contradiction; for it assumed that Ferrer's work as an educator could have been brought up against him with damning effect. As a matter of fact, the Prosecutor did not cite the Escuela Moderna to Ferrer's detriment; the Assessor did cite it, while pretending not to; and the Auditor, in arguing for the confirmation of the sentence, used this weapon of attack for all it was worth—and more.

V

FERRER spent a year in the Model Prison at Madrid before he was brought to trial for complicity in the crime of the Calle Mayor.

His imprisonment, however, was not so barbarous as that which awaited him two years later in Barcelona. He had a light and fairly roomy cell, with, it would seem, permission to take exercise pretty freely in the corridor and courtyard. These particulars one gathers from an article by the governor of the prison, Don Rafael Salillas, which appeared in a professional magazine,[1] under the title *The Cell of Ferrer*. The writer is an ardent disciple of Lombroso, and treats his subject from a pedantically Lombrosan point of view. He quotes a saying of that master: "Walls are the madman's paper": and tries to make out that Ferrer was next thing to a criminal lunatic, because he wrote versified sentiments on the walls of his cell! The sentiments are, as a matter of fact, sufficiently commonplace, and the versification is said to be wretched; but one may compose bad verses without being either a lunatic or a criminal;[2] and the prisoner's traditional

[1] *Revista Penitenciaria*, vol. iv., No. 6, June, 1907.

[2] A contributor to *El Mundo* relates that shortly before the Madrid trial, Ferrer's advocate, Emiliano Iglesias, stated that Ferrer had given him a manuscript of more than 1000 pages, consisting of poetical compositions. "Are they good?" asked the journalist. "May I publish some of them?

tendency to write on the walls of his cell would seem to be comprehensible enough when we think of the deadly monotony of prison life. Here are three of Ferrer's quatrains, literally translated—

Do not expect anything from others, whatever beautiful things certain wise and powerful persons may offer you: for if they give, they also enslave.

To achieve the concord of all men in love and fraternity, without distinction of sex or class, that is the great task of humanity.

No more let gods or exploiters be adored or served; let us all live like good comrades in mutual affection and respect.

Such sentiments are certainly not calculated to set the Thames, or even the Manzanares, on fire; but that Ferrer should have thought it worth while to inscribe them on the wall of his enforced habitation is surely an indication of a simple and sincere, rather than a degenerate or criminal, mind. Be it observed that there is no sort of hypocrisy in them—no affectation of sentiments which might tell in his favour at his approaching trial. His radicalism and—if I may coin a word—his proletarianism are not concealed. While under indictment for complicity in the crime of a murderous anarchist, he actually writes verses in which the inspiration is distinctly "acratist," or, in other words, anarchist with a difference—and that difference he must have known that his accusers were only too eager to ignore and to deny.

Nor did he make any concealment of his anti-clerical views: for Sr. Salillas shows, by the aid of six photo-

They would be 'good copy.'" "We must not publish any of them till after the trial," replied Iglesias. "If we did, his case would be hopeless." I understand this to be a jocose allusion to the badness of the verses.

graphs, that he plastered his cell with violently anti-clerical caricatures from French and Italian comic papers, and especially with the grotesque lampoons of *L'Asino* These prints are thus classified by Sr. Salillas—

Anti-clerical	56
Anti-militarist	2
Revolutionary	3
Contrast of Classes	7

This delight in the ferocious insults which the Latin caricaturist loves to hurl at the Church can scarcely be regarded as a sympathetic trait in Ferrer's character. It indicates, one cannot but think, a certain crudity of taste. Yet I do not know by what right we set up our British taste as an infallible standard. "Vulgarity," says the philosopher, "is the behaviour of other people."

An anecdote related by Sr. Salillas is too characteristic to be omitted. One day when Ferrer was taking exercise, bare-headed as was his wont, he heard the bell of the sacristan, and saw the prison chaplain bearing the Viaticum to the infirmary. Instantly he ran back to his cell, and returned wearing his cap! I could not but think of this trait when his brother José showed me, at Mas Germinal, a little round window or ventilator in the staircase wall, which had originally been divided into four quadrants by a cruciform moulding; but now it showed only one horizontal bar, the perpendicular arms of the cross having been broken off by Francisco, who could tolerate no such symbol in his neighbourhood.[1]

Ferrer's trial began on June 3, 1907, and lasted for six days. Every effort had been made to have him handed over to a military tribunal, and it was doubtless

[1] See illustration, p. 94.

the failure of these efforts that saved him—for the time being. He was tried, along with several other people supposed to be implicated in the crime, before the Fourth Section of the Assize Court.

No one can read the reports of the trial without seeing that the Court was by no means well-disposed towards Ferrer, allowed great latitude to the Prosecutor, oddly named Becerra del Toro (literally, Calf of the Bull), and treated Ferrer's counsel, Emiliano Iglesias, with scant consideration.[1] Yet the result was the total failure of the prosecution, and Ferrer's acquittal—a result which might very well dispense us from looking further into the matter. But as the clerical party (reversing its policy in the Dreyfus case) insists on going behind the *chose jugée* and maintaining Ferrer's guilt, in spite of the verdict of the court, it may be well to give an outline of the facts as they appeared in evidence.

Mateo Morral Roca, aged 26, was the son of a rich cotton-spinner at Sabadell, one of the industrial towns of Catalonia. He was a man of some education, part of it acquired in Germany; but he was taciturn, morose, and ill-balanced. He had had violent disagreements with his father, apparently on account of his advanced opinions; and yet, oddly enough, one of his sisters became a pupil at the Escuela Moderna. Ferrer admitted that he had

[1] Here is a characteristic fragment of dialogue. The Prosecutor, in his final speech, was recapitulating the crimes of which he accused Ferrer, when the latter remarked: "I cannot hear. Señor President, I wish to hear all that the Prosecutor says."

PROSECUTOR: "I am speaking to the counsel for the accused. I am not speaking to the gallery."

PRESIDENT (to Ferrer): "Keep quiet and do not interrupt, or I shall have you removed from the court."

FERRER: "But I have a right to hear——"

PRESIDENT: "It is enough if your counsel hears."

"Whereupon," says the report, "the incident terminated."





TEKKE'S FIREPLACE, MERV

[To face p. 5

known him, pretty intimately, for about two years; but it was only on January 2, 1906, that they entered into any business relation. Then Morral became, as it is usually stated, librarian (*bibliotecario*) of the Escuela Moderna; but so far as one can make out from the very imperfect reporting of the Spanish newspapers, this does not mean that he simply superintended the school library (which was probably far from extensive), but rather that he was to undertake the management of the "biblioteca," or series of school-books, which Ferrer had published and was publishing. Some of the expressions used lead one to suppose that Ferrer intended to make him his partner in this branch of his activity.

Be this as it may, the library which Morral controlled was located on the floor above the Escuela Moderna, in the Calle de Bailén; and there Morral seems actually to have taken up his abode. Ferrer declared that he did not know that Morral had rooms in the building, and the prosecution tried to make out that he must have known. The point seems unimportant, for Ferrer made no attempt to minimize his intimacy with Morral; but his advocate, Iglesias, suggested a curious reason why Morral may purposely have made a mystery of his habitation.

At this point a new character appears on the scene. One of the teachers in the Escuela Moderna was a lady named Soledad Villafranca, young, intelligent, enthusiastic, and very beautiful. Morral fell passionately in love with her; indeed it is suggested that it was in order to gain access to her that he placed his sister at the school, and became himself one of its staff. Mme. Villafranca for some time regarded him as a good friend, and he was on such terms with her as to rebuke her for her expensive and showy style of dressing, which was, he said, the only

thing he did not like about her. He was himself almost ascetic in his habits, regarding luxury as anti-social, and unworthy of a friend of the people. At last matters came to a crisis. In the beginning of May, 1906, Morral made open advances to Mme. Villafranca, and became so pressing that, in order to show that there was no hope for him, she confessed that she loved another man. Morral very soon divined or discovered that his successful rival was none other than Ferrer: whereupon he said to Mme. Villafranca, "Pues sobra uno de los tres"—"Then one of us three is one too many." His manner was so strange and threatening that for some time Mme. Villafranca went in terror lest he should try to assassinate either Ferrer or herself. Eventually, however, Morral reminded her of his remark, and said he had come to the conclusion that he himself was the one that must get out of the way. This, to her great relief, he did, leaving Barcelona on May 20. The suggestion made by Iglesias was that Morral purposely concealed from Ferrer the fact of his having established himself in the Calle Bailén, because his object in doing so was to facilitate the secret relations which he hoped to establish with Soledad Villafranca.

This portion of the story, of course, rests almost entirely upon Mme. Villafranca's sworn statement; but it is partly confirmed by one or two half-crazy post-cards which Morral addressed to her from Madrid, on the very eve of his crime. If we accept her declaration (and no one has cast doubt upon it) we learn that her relation to Ferrer was still a secret so late as the beginning of May, 1906. The breach between Ferrer and Mme. B—— had taken place in the previous year. It was complicated by a misunderstanding with regard to money matters, but it seems pretty safe to assume that the appearance of

Mme. Villafranca on the horizon had something to do with it.

Morral betook himself to Madrid, a city with which he was almost entirely unfamiliar. He went to the Hotel Iberia, where Ferrer had once stayed, in 1903, and where some sort of a banquet had been given in his honour. There Morral remained for three days, and then, on May 24, took a room in a boarding-house, 88 Calle Mayor, with a balcony overlooking the street down which the marriage procession of the King and Queen was to pass on its return to the Palace, only a few hundred yards distant. The horror which ensued need not be described. Having achieved his exploit, Morral walked calmly downstairs, and was lost in the bewildered and panic-sricken crowd that thronged the streets.

He made his way to the opposite side of the city, and presented himself at the office of *El Motín*, a Republican weekly paper, then, and now, edited by Don José Nakens. Of Nakens, the Madrid correspondent of the *Daily Telegraph*, a person of strongly conservative leanings, gives the following account:—"He is a revolutionary with an exemplary past. He might have been deputy, Minister, whatever he chose: but he sacrificed everything to his Republican ideal. A great writer, he has always lived on the borderline of poverty. He is sixty years of age, his figure is commonplace, even vulgar; but his face is full of intelligence and his eyes are very lively."

Nakens was put on trial along with Ferrer, on the charge of harbouring the assassin. His evidence is thus summarized in the *Daily Telegraph* of June 5, 1907—

In the course of his examination Nakens said that at

half-past three o'clock in the afternoon of May 31, while he was in the editorial office of the *Motín*, a newspaper of which he is the proprietor and editor, an individual appeared, saying he wished to speak with him alone. Conducted into Nakens's private room, the man said: "I know that you are incapable of selling me, and I place myself in your hands. I have thrown a bomb at the Sovereigns. There are victims. I want you to save me, and I tell you that I shall not leave here unless either dead or to save myself with your help."

Nakens said that he was terrified. Just then a friend came in with news of the bomb outrage, and saying that Nakens's daughter was close to the scene of the explosion. He therefore left Morral locked in his room, and went to look after his daughter, returning at five o'clock. "At that hour," he continued, "I found Morral much perturbed, and with his moustache cut. He told me that he had cut it off with a pair of scissors, looking at himself in a small hand-mirror. He was very nervous and said he must be saved. His attitude was menacing, and he never took his hand from the pocket of his coat, where, as I afterwards learned, he had a Browning pistol."

In reply to further questions, Nakens said that he repeatedly asked Morral to leave, but the latter begged, wept, and threatened, saying that the die was now cast, that he (Nakens) must save him, or both of them would perish, for he was determined not to leave the house by himself. Prisoner realized the dangerous position he was in, and decided to accompany Morral. Moreover, he said his conscience rebelled against denouncing a man who, without knowing him, had placed himself in his hands, confiding in his honour.

Relating how they got away, Nakens said they took a tram, and throughout the journey heard nothing spoken of except the attempt. Morral listened impassively while several men said it was a brutal crime, and that the assassin ought to be lynched. On leaving the tram,

Morral said to him, "What a lot of blood! But it was necessary. There was no other remedy."

They proceeded to a wineshop in the suburb of Cuatro Caminos, kept by a Republican named Canuto. The outrage was being talked about and condemned there, one of the people saying, "If I knew the assassin I would drag his coward's heart out." Morral calmly said, "I would do the same if I knew him."

Nakens went on to relate how he succeeded in getting a certain Bernado Mata to harbour Morral for the night, and to procure him clothes in which to continue his flight, Mata believing all the time that Morral was a journalist "wanted" by the police for some press offence. Night having fallen, Nakens parted from Morral, who pressed his hand and said, "Thanks, Don José, I knew you were a man. Many thanks. I owe you my life." Morral entered the house of Mata, and Nakens returned by tram to Madrid. On the evening of Saturday, June 2, Morral was run to earth, at the station of Torrejón de Ardoz, fourteen miles from Madrid. He shot the rural guard who tried to arrest him, and then shot himself, with the before-mentioned Browning pistol.

Nakens was sentenced to nine years' imprisonment; but in consideration of his age, his high character, and the fact that he unquestionably acted very much against his own will, from an antique sense of obligation to a fugitive who had, so to speak, seated himself at his hearth, the sentence was soon remitted, and he was set at liberty. In forming our estimate of his conduct, it is well to note that, as he himself pointed out, he was not terrorized by Morral into the course he took; for when he had him locked up in his office, it would have been the easiest thing in the world for him to have handed the poor wretch over to the

police. At the end of his examination Nakens said: "To sum the matter up, I must own that in all I did to save Morral there was a leaven of egoism. I feared lest between the many years I have lived and the few that are left me there should intervene the terrible silhouette of the gallows."

Now Ferrer, as we saw in his account of his travels with Mlle. Meunier, was acquainted with Nakens, and greatly admired him. It is worth noting that in the photograph of Ferrer and his family taken at Bendigo some ten years before these events, he is somewhat ostentatiously holding a copy of Nakens's paper *El Motín* (*The Revolt*).[1] But Nakens not only was not an anarchist of any shade whatever, but was noted for his resolute opposition to anarchism, and had been publicly thanked by Sr. Moret, while prime minister of Spain, for his services in combating the sect. The fact, then, that in November, 1905, Nakens had written to Ferrer asking for financial aid for *El Motín*, showed that he, at any rate, did not think of Ferrer as a militant anarchist. Ferrer replied that for the moment he had no funds at his disposition, but that he was negotiating a mortgage on his house in Paris, and that, when this was concluded, he would come to the assistance of the veteran journalist. As a matter of fact, he sent him, early in 1906, a cheque for 1000 pesetas (£40), stating it to be on account of payment for one or two books which he wished Nakens to write for the library of the Escuela Moderna. Nakens, however, seems in the meantime to have become doubtful whether he could co-operate with Ferrer in his educational work, and the cheque remained in his possession uncashed, when the police descended upon him.

[1] See illustration, p. 15.

Beyond the facts above related, there was absolutely nothing to associate Ferrer with Morral's misdeed. The prosecution tried, but totally failed, to make out that Ferrer had supplied the criminal with money. There was, in fact, no need for him to do so; for bomb-throwing is not a very costly sport, and Morral had received a large sum from his father not long before the tragedy.[1] What, then, does the evidence amount to? There is absolutely nothing in it beyond the bare fact that the two men knew each other. It is not at all unlikely that Morral may have gone to the Hotel Iberia because he had heard Ferrer mention it; but there was no evidence even of that. And if there had been, what would it have mattered? Had Ferrer been cognisant of his design, he would assuredly have warned Morral not to go to an hotel with which his (Ferrer's) name had been publicly associated. As for Morral's action in throwing himself upon the chivalry of Nakens, there is no reason to suppose that Ferrer had, even unconsciously, anything to do with it. Nakens was a famous man, whose character and whose views were known to every one who took the smallest interest in public affairs.[2] If Morral had heard Ferrer express the respect he certainly felt for Nakens, that might, no doubt, have influenced him towards the course he took; but even if we make this needless assumption, it involves Ferrer in no sort of responsibility. No one doubts that Nakens's views were strongly opposed to anarchism in every shape

[1] On this question of supply, no definite and conclusive evidence seems to have been produced by either side, though it must surely have been easily obtainable. Spanish justice appears to admit a great deal of assertion and counter-assertion by advocates on points on which nothing that can be called evidence is before the court.

[2] Nakens had acted with somewhat overstrained chivalry towards the Italian Angiolillo, who, in 1897, assassinated Sr. Canovas; and Morral referred to this the moment he entered Nakens's office.

and form. The Government, in releasing him, has fully admitted it; for, had he been an anarchist shielding a fellow-conspirator, he would have had no claim to clemency. The attempt to make out that Ferrer bribed Nakens with a cheque for £40, to become an accomplice in so reckless a crime, is too puerile for consideration. Even if we assume that Nakens's vehement anti-anarchism was hypocritical, or that he was capable of being bought over to terrorism by a cheque of £40, it is perfectly clear that he would not have kept that damning instrument in his possession a moment longer than necessary. It cannot be argued that keeping the cheque uncashed was part of his subtlety; for that would mean that instead of risking his neck for £40 he risked it for nothing at all. By no conceivable device can the theory of the prosecution be made to hold water. If Ferrer, Morral, and Nakens were in a conspiracy, it was a conspiracy of lunatics; and Morral was by no means the maddest of the three.

It does not seem to be known where Morral procured his bomb; but there was no scrap of evidence to connect Ferrer or the Escuela Moderna with this nefarious manufacture. Ferrer was shown to have gone about his business as usual during the days before the crime, and on the 31st itself. He had made arrangements to go to Paris (as he frequently did) on the following day, June 1; but, struck with consternation by the news from Madrid, and divining that an attempt would be made to implicate him in the crime,[1] he felt that this journey would wear the

[1] For a moment I was inclined to see a slightly suspicious circumstance in his instant realization that he was likely to be involved. It seemed as though he had somehow associated Morral with the crime before any one else did. But, on investigation, I found that Morral's name was known in Madrid, and had been telegraphed to London, on the very evening of the event, so that it must certainly have reached Barcelona as well.

appearance of flight, and consequently remained in Barcelona. On the Sunday following the fatal Thursday he voluntarily placed himself in the hands of the police. His enemies, of course, assert that he did so because he felt the net to be closing round him. However this may be, it is certain that any attempt on his part to elude arrest would have been tantamount to a confession of guilt, and would have been a capital folly. He had to choose between two perfectly definite courses: either he must take a firm stand on his innocence, or, by absconding, he must, whether innocent or guilty, place himself in the position of an outlaw, and see his life-work hopelessly ruined.

It may perhaps be alleged that, by the same reasoning, the fact that he went into hiding after the Barcelona riots should be regarded as a confession of guilt. I am not at all sure that he was not ill-advised in going into hiding; but the circumstances of 1909 were widely different from those of 1906. Catalonia was in a state of war; martial law was proclaimed; Ferrer learned that wild rumours were abroad as to his having taken a prominent part in the rioting; and he knew that he was surrounded by rancorous enemies. His plan, as he himself states it with perfect probability, was simply to keep out of the way until the trouble was over and the excitement had calmed down. Had his enemies laid hands on him while the revolt was actually raging, he might have been subjected, not to the "Juicio Ordinario," which at least made a show of trying him, but to a "Juicio Sumarísimo," which would have shot him practically at sight.

One of two details of the trial of 1907 remain to be noted.

When we come to examine the documentary evidence

of 1909, we shall do well to bear in mind that among the documents produced in 1907 there were several which were manifestly spurious, were denounced by Ferrer as forgeries, and were practically dropped by the prosecution. They contained such sentiments as these—

"Against war, the gendarmery, and torturings there is no other remedy than the bomb, the dagger, or poison."

"The carelessness of Artal"—a man who had attempted the life of Maura—"in not poisoning his weapon has rendered his sacrifice to some extent useless. Those who follow him will know how to remedy this error by poisoning their daggers and bombs."

"The road to liberty will be a second Sicilian Vespers. . . . It will be a happy awakening to see annihilated in another Sicilian Vespers the Alfonsos, Mauras, Tressols, Portas, Despujols, and all tyrants, in one night."

The prosecution seems tacitly to have accepted Ferrer's indignant disclaimer, and abandoned the attempt to bring these effusions home to him. I find no mention of them in the Prosecutor's speech. Moreover, as they no doubt remained among the archives of the police, they would certainly have been resuscitated in 1909, had there been the slightest hope of making them appear genuine.

Among the witnesses who did not appear in person, but whose declarations were read, was Mme. B——, the mother of Ferrer's son Riego. They had quarrelled, and there was bitterness between them; nevertheless she testified that "although his ideas were very advanced, he could not be called an anarchist," and that "he was incapable of having thrown the bomb, or induced any one else to do so, for he was not a man who wanted to do harm to any one." Ferrer's wife was also on the scene, but there are contradictory reports as to whether she

wanted to speak for him or against him. Her evidence, in any case, was not admitted.

There was one point, and one only, on which Ferrer's case does not seem entirely clear and above-board. In the *Daily Telegraph* report of his examination in chief, he is represented to have said that no accounts were kept at the Escuela Moderna, "as he did not require to render an account to anybody, and therefore did not have any books"; whereas it appeared from the statement of one of his employees, Batllori, that "the account-books previous to June 1 were destroyed on instructions given by Ferrer in a letter dated July 7, 1906." I suspect some misreport or misunderstanding in this matter. It seems incredible that the accounts, if they existed, should not have been seized before July 7, five weeks after Ferrer's arrest. But as the discrepancy exists in apparently trustworthy records, I thought myself bound to note it.[1] The mere fact, if it be one, that Ferrer should have taken measures to keep his account-books out of the hands of the police, is no evidence of guilt, but simply of a natural desire not to compromise friends and fellow-workers. When an anarchist-hunt is afoot, everybody is more or less in jeopardy who appears to have had any relations, especially of a financial nature, with one of the accused.

A writer known under the pseudonym of Federico Urales, and declaring himself an anarchist, gave evidence to the effect that Ferrer was not an anarchist, and had specially warned him, in some negotiation as to school-

[1] On re-reading the reports, I find that the Prosecutor, in his final speech, stated that Ferrer had the books destroyed the moment he learned of Morral's crime. There is evidently a blunder somewhere; yet the *Daily Telegraph* correspondent circumstantially relates that the tardiness of the police in seizing the books, and the fact that Ferrer was free to order their destruction so late as July 7, caused much surprise.

books, that "the library of the Escuela Moderna was not anarchist, but purely impartial." Urales also gave evidence —hearsay evidence, but no attempt seems to have been made to contradict it—as to overtures made by a municipal magistrate to certain journalists with a view to their conducting a campaign against Ferrer in the press. They were to be given access to the "dossier" of the prosecution, from which they were to extract and publish the documents which were thought most compromising to the prisoner. It is true that these particular journalists are represented as having declined to lend themselves to such a machination; but it is none the less true that an active and unscrupulous campaign against Ferrer was carried on while his case was under judgment. The chief importance of Urales' evidence lies in the light which it throws upon the tactics of the prosecution in 1909. It explains how, before the Barcelona trial, the press was carefully fed with compromising documents, into the authenticity of which we shall in due time have to inquire.

As a specimen of the class of evidence admitted in Spanish courts, I may quote the following, from the examination of Don Leoncio Ponte, Lieutenant-Colonel of the Barcelona gendarmery:—

Question: "What relation do you think exists between the attempt committed by Morral and the accused Ferrer?"

Answer: "Simply that Ferrer is the director of the whole. (*Sensation.*) Ask any business man in Barcelona, and you will see that he will answer: *Ferrer.*"

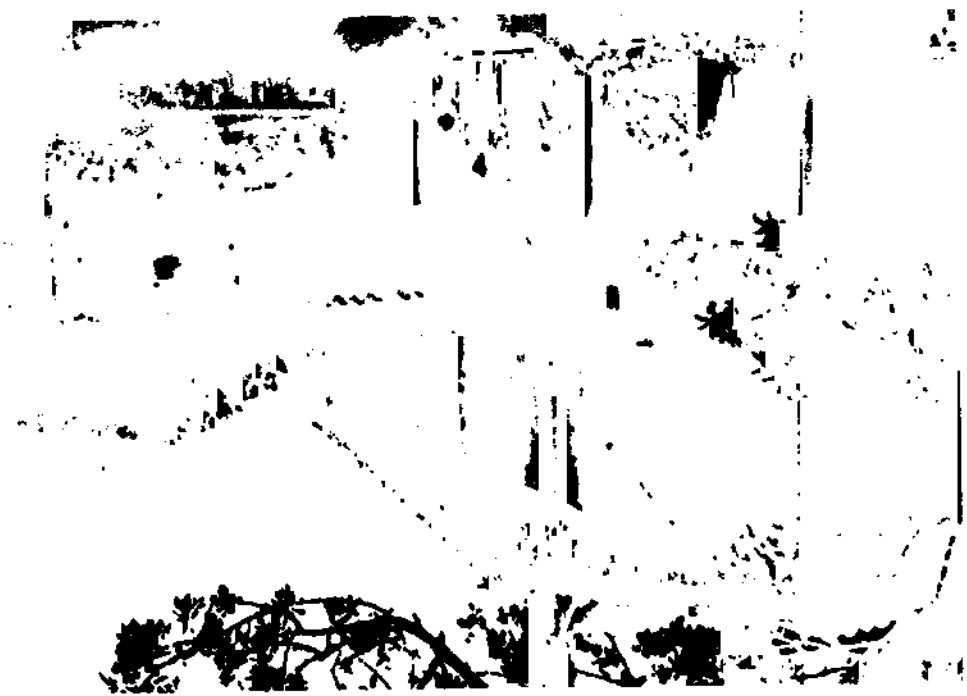
This declaration of the Lieutenant-Colonel was actually emphasized by the Prosecutor in his final speech as a peculiarly weighty piece of evidence; and we shall find the same gallant officer giving evidence of no less cogency

in the Barcelona trial. It must be owned, however, that in Madrid the balance was kept even; several witnesses being allowed to depose that opinion in Barcelona was favourable to the accused. For instance, Don Alejandro Lerroux, the Republican leader, laid it down that every one in Barcelona, except the priests, was completely on Ferrer's side.

On the other hand, a piece of evidence of very different value, which was known to be in existence, was not placed before the court. It was a letter from Morral to a Russian friend in Paris, written some time before the outrage, in which he said, "I have little confidence in men like Francisco Ferrer, Tarrida del Marmol, and Anselmo Lorenzo, who are simple enough (*bastante tontos*) still to believe in educational methods in a country like Spain." Knowing too well to entrust such a precious document to the post, a Spanish exile to whom I have spoken took the actual letter from Paris to Perpignan, where he was met by Sr. Batllori of the Escuela Moderna, who conveyed the letter to Madrid. Emiliano Iglesias had been advised of its existence, and asked to prolong the case until it arrived; but he replied that he was already certain of securing an acquittal; and as a matter of fact Ferrer was a free man before Batllori reached the capital. The letter remained in Ferrer's keeping, and is in all probability among the documents seized by the police in 1909. Needless to say, the prosecution made no mention of it.

It is curious to note that Ferrer was not in this instance tried on a capital charge. The Prosecutor, after reckoning up the crimes laid to his account—namely, "2 frustrated regicides, 24 murders, and 107 woundings and maimings"—demanded the imposition of the penalty of imprisonment

for "16 years 5 months and 10 days." The judges, on the other hand, found that the Prosecutor had "failed to establish any link between the presumption engendered by the opinions of the accused, and the actual misdeed committed." On his release Ferrer immediately returned to Barcelona, where he met with a triumphal reception.



VI

A TWO YEARS' TRUCE

ONE thing, at all events, Ferrer's enemies had succeeded in doing—they had made him famous. Before his arrest, and the closing of the Escuela Moderna, no one, practically, had heard of him out of Spain and Spanish America, while even in Spanish-speaking countries he was known mainly to two classes of people: militant anti-clericals and militant clericals. When the news of his arrest was telegraphed to the English papers, his name was not given; he was simply "the director of a school in Barcelona." But after his trial he was a celebrity. The attempt of the reactionaries to crush a rationalist educator aroused the sympathy of all who were interested in educational progress; and at the same time his name began to be cited as a bugbear in the clerical press, and in reactionary circles, far beyond the limits of the Peninsula. The legend of his enormities—how he had deserted his amiable and exemplary spouse, left his children to starve, hypocritically defrauded a rich and devout benefactress, and established a school where the texts on the wall were incitements to regicide, and the elements of bomb-manufacture formed a fundamental part of the curriculum—this lurid legend grew and crystallized till it became an article of faith in many pious bosoms. The police of Paris and London, too, taking their keynote from their Spanish colleagues, began

to keep a watchful eye on him, and to regard him as a dangerous character; though after some investigation, I have failed to discover that they had any ground for this opinion, other than suggestion from Madrid.

On his release from prison, Ferrer tried to obtain authorization to re-open his school; but after procrastinating for two years, the education department decided, on the very eve of his death, that the authorization could not be accorded. The reason alleged was that the books employed did not fulfil the statutory requirements.

Debarred from carrying on his work in the narrow sphere he had chosen, he was forced to seek a wider outlet for his energies: the more willingly, indeed, as international organization was only a logical consequence of his principles. In December, 1906, while he was still only in the middle of his year of durance, he had written from the Carcel Modelo to William Heaford in London: "Yes, my dear friend, I accept the rendezvous you give me in Paris: not, however, that we may celebrate my liberation, but in order to found a League for the defence of the liberty of Rationalist Education throughout the world. This would form the solid basis of peace for the future amongst nations and individuals. To you, first of all, I communicate this idea." The idea took definite shape in a circular issued in April, 1908, inviting adhesion to a "Ligue Internationale pour l'Education rationnelle de l'Enfance." Its principles were thus set forth—

(1) The education given to childhood ought to rest upon a scientific and rational basis: consequently every mystical[1] and supernatural notion ought to be banished.

(2) Instruction is only a part of this education, which

[1] It seems rather odd to find Maurice Maeterlinck figuring as a member of this League.

ought to include, along with the formation of the intelligence, the development of character, the cultivation of the will, the preparation of a morally and physically well-balanced human being, whose faculties are harmoniously associated and carried to their maximum of power.

(3) Moral education, far less theoretical than practical, ought mainly to result from example, and to rest on the great natural law of solidarity.

(4) It is necessary, especially in the teaching of early childhood, that programmes and methods should be adapted as exactly as possible to the psychology of the child, a point now almost entirely neglected, whether in public or in private teaching.

Anatole France became Honorary President of the League, Ferrer was President, C. A. Laisant, Vice-President, Charles Albert, Secretary, while the International Committee consisted of Ernest Haeckel (Germany), William Heaford (England), Giuseppe Sergi (Italy), Paul Gille (Belgium), and H. Roorda van Eysinga (Switzerland). It had for its organ a magazine named *L'Ecole Rénovée*, founded by Ferrer in Brussels, but afterwards transferred to Paris. The numbers of this review which I have seen are of an austerely serious and technical character, democratic, no doubt, but no more inflammatory than (say) the *Edinburgh Review*.

Ferrer had at one time an idea of starting a Normal School at Barcelona; but this plan was either abandoned or postponed. On the other hand, he revived the monthly *Bulletin* of the Escuela Moderna, and opened the new series (May, 1908) with a sort of summary of his educational creed. From this document I have already made a short quotation (p. 53); but as it contains the clearest exposition of his ideas that he has anywhere given us, I shall here

reproduce the whole substance of it, omitting only repetitions and inessential amplifications. It is headed—

THE RENOVATION OF THE SCHOOL.

To those who wish to renovate the education of children two methods are open: To work for the transformation of the school by studying the child, so as to prove scientifically that the present organization of education is defective, and to bring about progressive modification; or, to found new schools in which shall be directly applied the principles . . . held by those who eschew the conventionalities, prejudices, cruelties, trickeries and falsehoods, upon which modern society is based.

There is much to be said for the first method. It corresponds to that evolutionary conception which all men of science defend, and which alone, according to them, can succeed.

In theory they are right, and we are quite ready to recognize it. . . . But in reality, I do not believe that those who struggle for human emancipation can expect much from this method. Governments have ever been careful to hold a high hand over the education of the people. They know, better than any one else, that their power is based almost entirely on the school. Hence, they monopolize it more and more. The time is past when they opposed the diffusion of instruction, and when they sought to restrain the education of the masses. These tactics were formerly possible, because the economic life of the nations allowed the prevalence of popular ignorance, that ignorance which renders mastery easy. But circumstances have changed. The progress of science, discoveries of all kinds, have revolutionized the conditions of labour and production. It is no longer possible for a people to remain ignorant; it must be educated in order that the economic situation of one country may hold its own and make headway against the universal competition. In consequence, governments want education; they want

a more and more complete organization of the school, not because they hope for the renovation of society through education, but because they need individuals, workmen, perfected instruments of labour, to make their industrial enterprises and the capital employed in them profitable. And we have seen the most reactionary governments follow this movement; they have realized perfectly that their former tactics were becoming dangerous to the economic life of the nations, and that it is necessary to adapt popular education to new necessities.

* * * * *

Forthwith began terrible struggles for the conquest of the school; in every country these struggles are still continuing with intensity; here, bourgeois republican society triumphs; there, clericalism. All sides know the importance of the game, and recoil from no sacrifice to secure a victory. Every one's cry is: "For and by the School."

* * * * *

If the governing powers had, as men, the same ideas as benevolent reformers, if they were really concerned for the continuous reorganization of society in the sense of the progressive disappearance of slavery, we might admit that scientific effort alone would improve the destiny of nations. But we should reckon without our host. We know too well that those who dispute for power have in view nothing but the defence of their own interests; that they busy themselves only with conquering what they want for themselves, for the satisfaction of their appetite. Long ago we ceased to believe in the words with which they mask their ambitions. Certain naïve persons still refuse to believe that there is not among them, after all, some little sincerity, and imagine that they, too, sometimes desire the happiness of their fellows. But these become fewer and fewer, and the positivism of the century has become far too cruel for us to deceive ourselves longer as to the intentions of those who govern us.

The organization of the school, far from spreading the ideal which we imagined, has made education the most powerful means of enslavement in the hands of the governing powers to-day. Their teachers are only the conscious or unconscious instruments of these powers, modelled, moreover, according to their principles; they have from their youth up, and more than any one else, been subjected to the discipline of authority; few indeed are those who have escaped the influence of this domination; and these remain powerless, because the school organization constrains them so strongly that they cannot but obey it. It is not my purpose here to examine the nature of this organization. It is sufficiently well known for me to characterize it in one word: *constraint*. The school imprisons children physically, intellectually and morally, in order to direct the development of their faculties in the paths desired. It deprives them of contact with nature, in order to model them after its own pattern. And this is the explanation of all which I have here set forth: the care which governments have taken to direct the education of the people, and the bankruptcy of the hopes of believers in liberty. The education of to-day is nothing more than drill.

* * * * *

There is no reason for governments to change their system. They have succeeded in making education serve their advantage; they will likewise know how to make use, to their advantage, of any improvements that may be proposed.

It is sufficient that they maintain the spirit of the school, the authoritarian discipline which reigns therein, for all innovations to be turned to their profit.

* * * * *

One may judge with what ease education receives the stamp they wish to put upon it, and how easy is the task of those who wish to enslave the individual. The best methods become in their hands only the more powerful

and perfect instruments of domination. Our own ideal is certainly that of science, and we demand that we be given the power to educate the child by favouring its development through the satisfaction of all its needs, in proportion as they arise and grow.

We are convinced that the education of the future will be of an entirely spontaneous nature; certainly we cannot as yet realize it, but the evolution of methods in the direction of a wider comprehension of the phenomena of life, and the fact that all advances towards perfection mean the overcoming of some constraint,—all this indicates that we are in the right when we hope for the deliverance of the child through science.

* * * * *

Let us not fear to say that we want men capable of evolving without stopping, capable of destroying and renewing their environments without cessation, of renewing themselves also; men whose intellectual independence will be their greatest force, who will attach themselves to nothing, always ready to accept what is best, happy in the triumph of new ideas, aspiring to live multiple lives in one life. Society fears such men; we therefore must not hope that it will ever want an education able to give them to us.

* * * * *

A trial has been made which has already given excellent results.. We can destroy all which in the present school answers to the organization of constraint, the artificial surroundings by which the children are separated from nature and life, the intellectual and moral discipline made use of to impose ready-made ideas upon them, beliefs which deprave and annihilate natural bent. Without fear of deceiving ourselves, we can restore the child to the environment which entices it, the environment of nature in which he will be in contact with all that he loves, and in which impressions of life will replace irksome book-learning. If we did no more than that, we should

already have prepared in great part the deliverance of the child.

In such conditions we might already freely apply the data of science, and labour most fruitfully.

I know very well that we could not thus realize all our hopes, that we should often be forced, for lack of knowledge, to employ undesirable methods; but a certitude would sustain us in our effort, namely that, even without reaching our aim completely, we should do more and better in our still imperfect work than the present school accomplishes. I like the free spontaneity of a child who knows nothing, better than the world-knowledge and intellectual deformity of a child who has been subjected to our present education.

What we have attempted at Barcelona others have attempted elsewhere, and we have all seen that the work is possible. And I think it should be begun without delay. We should not wait until the study of the child has been completed before undertaking the renovation of the school; if we must wait for that, we shall never do anything. We will apply what we know, and, progressively, all that we shall learn. Already a complete plan of rational education is possible, and, in such schools as we conceive, children may develop, happy and free, according to their natural tendencies. We shall labour to perfect and extend it.

A complete criticism of this document would be a complete tractate on education. Even were I capable of doing so, it is no part of my business to sift the true from the false, the sound from the unsound, among Ferrer's ideas. I am not concerned with their justice, but only with their sincerity; and that cannot be established by argument. If any one can read the foregoing pages, and believe the writer was affecting an enthusiasm for education in order to cloak murderous

and incendiary designs, he is of course free to do so; but such an extreme of credulity is certainly rare. It is not as though Ferrer affected any tenderness or consideration for the existing social order. His hostility to it declares itself in every line, along with the belief that the school is the most effective point of attack on it. If any one tells me that he holds this belief to be hypocritical, I can only reply that I am much more disposed to doubt his sincerity than Ferrer's.

A favourite allegation against Ferrer as an educator is that it was his confessed object to "flatter all the appetites of youth." This expression occurs in the dictamen of the Auditor-General and in many other places. It is probably an amiable paraphrase of the sentence in which Ferrer lays it down as his purpose "to educate the child by favouring its development through the satisfaction of all its needs, in proportion as they arise and grow."

Among the projects which he nourished during this period of seeming security was that of publishing what he called an *Encyclopædia of Higher Popular Education.* It was to consist of fifteen volumes, dealing with the following subjects:—

(1) The Evolution of the Worlds.
(2) The Story of the Earth.
(3) The Origin of Life.
(4) The Evolution of Living Things.
(5) The Factors of Organic Evolution.
(6) The Origin and Development of Man.
(7) Thought.
(8) The History of Civilization.
(9) Religions.
(10) Law and Morals.

(11) Social Organization.
(12) Economic Systems.
(13) The Evolution of Technics and Art.
(14) The Factors of Social Evolution.
(15) Man and the World.

It would be unfair to criticize such a scheme from its mere headings; but there is an appearance of overlapping in the suggested classification which leads one to doubt whether Ferrer was quite equal to the editorship of such a work. But that he had seriously undertaken it is beyond question: he had even made considerable progress in arranging for contributions to it. Meanwhile he kept his publishing-house (at 596 Calle Cortes, Barcelona) busy in various ways, and was, at the time of the catastrophe, actively preparing illustrated editions of *L'Homme et la Terre* by Reclus and of Kropotkin's *La Grande Révolution*.

One of the statements which Ferrer's enemies apparently hold most damaging to his reputation, and are consequently never tired of repeating, is that he increased his fortune by speculations on the Stock Exchange. The implication is, of course, that he gambled with Mlle. Meunier's money in order to gratify his own luxurious, if not vicious, tastes. This is stated in so many words by the more violent of his assailants; others more delicately insinuate it after this fashion: "He gambled with success on the Stock Exchange, greatly increased his wealth, but consistently applied what could be spared from the private consumption of his mistress and himself to a well-organized anti-Christian propaganda."[1]

Now it is perfectly true that Ferrer, in his dealings with money, showed considerable business capacity: a form of worldly wisdom which is not reckoned criminal,

[1] Mr. Hilaire Belloc in the *Dublin Review*, January, 1910.

one understands, even in the Society of Jesus. As the initial expenses of the Escuela Moderna far exceeded the annual income derived from Mlle. Meunier's legacy, he was very soon obliged to borrow money; and in course of time he placed several mortgages on his Paris property. Some of the money thus raised he invested judiciously, notably in a new Barcelona Building Company (Fomento de Obras y Construcciones), the shares of which steadily rose. It is probably untrue to say that he "greatly increased his wealth":[1] a more accurate statement would be that by handling his resources judiciously he found means to devote larger sums to his work than he could otherwise have commanded without making fatal inroads on his capital. To say that he "gambled" on the Stock Exchange is a gross misrepresentation. It may seem idle to cavil at such a vague expression as "gambling," which is only an unfriendly term for dealings in which it is admitted that Ferrer did engage. But we shall have occasion to estimate the damage which may be done by the reckless repetition of vaguely defamatory language when we find the Prosecutor, in the Barcelona trial, so possessed by the legend of Ferrer's "gambling" as to hint, confessedly without a shadow of evidence,[2] that he engineered the riots in the interests of some Stock Exchange "deal."

Whatever word we choose to apply to his methods of administering his property, the one thing certain is that his motive in money-making was solely to further what

[1] Common report ridiculously exaggerated his means. He was frequently spoken of as a "millionaire," which he never was even in pesetas, much less in dollars or pounds. These exaggerations contributed to his undoing, for they led people to think of him as a man who could, if he would, finance a revolution.

[2] See pp. 203, 281.

he regarded as his mission. There is an overwhelming amount of testimony to the fact that his scale of personal expenditure was in no way altered after he came into his fortune. His way of living was as frugal in the days of his wealth as it had been in the days of his poverty. We can follow all his movements in the later years of his life. In London he does not put up at the Savoy or the Carlton, but seeks out a modest Bloomsbury boarding-house. In Paris he goes to third- or fourth-rate hotels in the quarter most affected by his compatriots—not far, indeed, from the Rue Richer which had such painful memories for him. Mme. Berthe Delaunay, who interviewed him in 1908, writes as follows :—[1]

"I was not a little astonished when, calling upon him with an introduction from Charles Malato, I found him on the sixth floor of a far from elegant house on the Boulevard St. Martin, poorly installed in a little apartment of three tiny rooms. The door was opened to me by a young lady of great beauty, who, speaking with a strong Spanish accent, invited me to enter, and ushered me into a study where I found the great Spanish educator seated in the midst of piles of books and papers. He had to clear a heap of pamphlets from the chair which he offered me."

All this, of course, leaves it literally true that he devoted to his work "what could be spared from the private consumption of his mistress and himself." The mischief is that a literal truth may be so stated as to become a highly injurious moral falsehood.

The most conclusive testimony to the almost ascetic simplicity of Ferrer's mode of life is afforded by his so-called "villa" of Mas Germinal, at Mongat, nine miles

[1] *L'Italia* (Paris), October 13, 1910.



MAS CLEMINAL (GENERAL VIEW)



COURTYARD AND CISTERN, MAS CLEMINAL

from Barcelona. It was in July, 1910, nine months after Ferrer's death, that I visited his brother José, who was occupying the house, and cultivating the land, as agent for the Government, Ferrer's property having been confiscated. Misled by the term "villa," I looked out for a comfortable bourgeois residence, of the type so common on the outskirts of wealthy cities such as Barcelona. But as I walked along the coast road from Mongat station, I saw nothing at all answering to the Mas Germinal of my fancy. An old woman directed me to turn up a rough side road; and there, in a little hollow not more than a hundred yards from the sea, I came upon an old farmhouse so exceedingly primitive of aspect that I could scarcely believe it to be the "villa" of which I was in search. But it was no other; and José Ferrer, summoned from the garden where he had been working, presently greeted me with a cordial hospitality in which it was not difficult to trace the influence of his ten years in Australia.

Through a dilapidated gateway, one entered a small paved courtyard. Close to the gateway was one of the large built-up washing-troughs, perhaps twelve feet by four in extent, which are common adjuncts to peasant houses in Spain. The milky blue of the water showed that the cistern had done its work for the day; and, indeed, the family washing dangled from a line stretched across the courtyard, under which one had to duck in order to reach the house. Between the cistern and the house a high wooden gate opened into the garden. As for the "villa" itself, it would mightily astonish those people who imagine Ferrer living in luxury on the spoils of his hypocrisy. Built in 1777, it is a square white-washed block of two storeys. In the lower storey there is only

one window, giving light to the kitchen at the back. In front, on the ground level, there is no opening save a wide arched doorway; while in the upper storey there are two narrow windows, one of them heavily barred. The arched entrance leads into the living-room of the house, which receives light and air through this opening alone. To the best of my belief, there is no door in this doorway, over which, however, a rough curtain can be drawn. A second doorless doorway leads from the living-room into the kitchen beyond, while a third opens to the right into a large store-room and lumber-room, with no window, containing, when I saw it, a wine-press, some barrels, a zinc bath, and some heaps of garden produce. Some twenty or thirty sacks (I think of barley) were piled against the living-room wall, between the entrance and the kitchen. A table, a wooden bench, a few rush-bottomed chairs, and a grandfather's clock, completed the furniture of the room, save for one object—a cottage piano, of French manufacture, with the initials "S. V." carved upon it. At the back, a flight of steps led to the upper floor; and the wall above this stairway was pierced by the originally cruciform ornament which (as before mentioned) Ferrer had despoiled of its vertical arms, altering the cross into a bar. On the wall hung three coloured advertisements, one of a Catalan illustrated paper, another of a Castilian encyclopædia, and the third a framed poster of "The Bay Excursion Company, Ltd.," announcing a daily trip of "the Ozone Excursion Steamer" from Melbourne to Queenscliff and Sorrento. The room, in short, would in England have been thought more fitted for a coach-house than for a human habitation. In that Mediterranean climate it was habitable enough; but even there it suggested the stoic rather than the



THE LIVING ROOM AT MAY FEMINAL

(Note in the round ventilator the bar which was originally part of a cross.)



JOSÉ FELICIO

sybarite. If ever man led the simple life, it was Ferrer at Mas Germinal.

And on every hand there were traces of the havoc wrought by the police in their search for incriminating documents. On the very threshold of the house, I stumbled and almost fell upon an old box-lid, laid down to cover a hole which they had dug in the brick floor. I saw water-pipes cut, drains broken open, bricks picked out of the walls. Upstairs—where all the arrangements were as primitive as those on the ground floor—I could not see Ferrer's own room because it was still sealed up by the authorities. So was a great packing-case full of books, which cumbered one of the two bedrooms actually in use. I shall not repeat—for it is not strictly relevant—Don José's story of the wanton destruction and pillage to which the house and its appurtenances were subjected, but shall merely say that the conduct of the police seems to have been as shameful as it was silly. That the story was absolutely true I have not the least doubt; for much of it I had ocular evidence.

Without the smallest intellectual or social pretensions, José Ferrer is a most sympathetic and even impressive figure. He wore throughout my visit the flannel shirt and trousers in which he had been working when I arrived. The shirt-sleeves, rolled up to the elbow, showed arms as brown as the soil he tilled; and no less tanned was the breast which the unbuttoned collar revealed. But his very handsome head would anywhere have attracted notice by its air of grave distinction; and his manners, while full of simple cordiality, were entirely dignified. He spoke of his brother without the least affectation or emphasis, but with deep feeling. "No two brothers," he said, "live like he and me." It was Francisco who

bought the house and land, while José paid for the stock and improvements. Now the stock is swept away (the fowl-house, by-the-by, is sealed up!) and José works in the garden for the Government at a small daily wage.

"Where," I asked, "was your brother's study? Where did he do his work?" Without a word José picked up a round restaurant table, and, carrying it into the garden, planted it under a Barcelona nut-tree growing against the end of the house. Then he returned for a wicker chair and a steamer chair which he placed beside the table. "Here," he said, "my brother work. Francisco he sit here; Soledad"—pointing to the steamer chair—"she sit there." If not quite Arcadian—for the marble-topped restaurant table was a little out of keeping—the picture was at any rate idyllic. Was it retributive justice, or vengeful and unscrupulous fanaticism, that had, only a year ago, abruptly converted the idyll into a tragedy?



FERRER'S "STUDY" AT MAS GERMINAL.

(Note broken water-pipe at back.)

VII

BARCELONA

As the tragedy approaches, it is time to set the scene.

On a strip of gently-sloping seaboard, about four miles wide, between the Mediterranean and the coast-range of Catalonia, Barcelona and its suburbs occupy one of the finest situations imaginable. Naples and Genoa are more picturesque, inasmuch as they rise more abruptly from the sea. But here nature seems to have bevelled the coast expressly for the convenience of a great city. Down by the harbour lies the old Barcelona, with its gloomy, grand cathedral, and its narrow streets. Its outline is, roughly speaking, oval, and it is bisected, along the shorter axis, by the magnificent shady promenade of the Ramblas, three-quarters of a mile long, and certainly one of the most animated thoroughfares in the world. Old Barcelona, however, is merely the nucleus of the modern town, laid out on the rectangular American plan, but saved from monotony by splendid diagonal boulevards, and by the fact that, every here and there, one comes upon the old streets of one of the many villages—Sans, Gracia, San Martin de Provensals, etc. —now embraced in the city limits. The planning of the "ensanches" or extensions, as the new parts of the city are called, is extraordinarily spacious and noble; and nearly every street has its double row of plane

trees. It may be noted, too, that another relief to the monotony of rectangular street-planning is afforded by the practice of cutting off the angles of the four blocks where two streets intersect, and thus converting the intersection into a small square, known as a "chaflan."

At about three miles inland the gentle slope becomes steeper, and we soon find ourselves among the gullies of some low foot-hills, covered with gay and often fantastic villas. Then, from the foot-hills, the escarpments of Tibidabo and Vallvidrera suddenly and almost precipitously rise to a height of over 1700 feet; and if we take the funicular railway up to Tibidabo, we find in the hinterland nothing but a vast corrugation of mountain ranges, with the majestic Montserrat towering in the middle distance. Amid these ranges, however, there lurk several busy and populous manufacturing towns, such as Tarrasa and Sabadell, the birthplace of Mateo Morral.

To the north, the low coast-line runs off with an eastward curve, the mountains drawing gradually nearer to it; and for some fifteen miles the beach is lined by an almost unbroken string of long villages, flat and unpicturesque, seldom extending more than a stone's-throw inland. Among them are Mongat, Masnou, and Premiá de Mar, all scenes in the coming story. And to the southward—what? To the southward nothing but Montjuich. Its fort-crowned cliff, rising out of the sea to a height of 750 feet, closes the vista from almost every point. The poorer streets of the old town of Barcelona crowd close up to its flanks; and from distant Premiá, beyond the curving coast and the smoke-veil of the city, it is still seen frowning on the horizon. With its sinister associations,[1] it dominates

[1] There is no shadow of doubt that after the Liceo outrage of 1893, and the



MONTROIL

the whole region. As soon as the boy Ferrer looked abroad upon the world, he must have seen Montjuich on the horizon of his life. From the home of his later years, he could not take a hundred steps without its confronting him. It loomed daily and hourly before the eyes of the terror-stricken villagers whose testimony did him to death.

In the city thus sloping to the morning sun, between the mountains and the sea, there are more than half a million industrious but excitable and turbulent people. There is great wealth. On the Paseo de Gracia and other magnificent avenues, the rich merchants and manufacturers have built themselves houses that in point of expensiveness would do credit to Fifth Avenue, though the Neo-Catalan architecture is too often hideous in its eccentricity. In the lower quarters of the town, on the other hand, one gathers—what I believe to be the fact—that there is little or no very dire poverty. The Catalonian workman is exceptionally well off. The climate of Barcelona is almost perfect; unemployment is rare; food is cheap; lodging not extravagantly dear. The so-called Paralelo, a noble boulevard, largely given up to workmen's cafés, theatres, and variety-shows, affords at night the most brilliant and animated spectacle of its kind I ever saw. For a few halfpence, the workman can spend his evenings in a really palatial café, debating, playing games, and imbibing highly-coloured but not too poisonous refreshments. Drunkenness is very rare; so are "crimes of passion." Some of the low streets between the Paralelo and the Rambla are, indeed,

explosion in the Calle Cambios Nuevos of three years later, many prisoners were subjected to horrible tortures in Montjuich The details are revolting beyond description The least sickening of the torments, perhaps, was that of forcing the prisoner by lashes to keep constantly moving for 30, 40, 50 hours on end—in one case, it is said, for nine days. See *Les Inquisiteurs d'Espagne*, by F. Tarrida del Marmol (Paris, 1897), *Los Victimarios*, by Ramón Sempau (Barcelona, 1900), and McCabe, *The Martyrdom of Ferrer*, p. 57 and onwards.

among the most sinister slums in Europe. They belong, however, to maritime rather than to industrial Barcelona. There is no doubt a great deal of vice to be seen on the Paralelo; but there is also no lack of fairly innocent entertainment.

Beneath this smiling and prosperous surface, however, there lurks every form of faction and discontent. Of the bomb-plague I do not speak. In its present phase, it is literally a plague, a disease, which has somehow settled on Barcelona. It is pretty certain that no political party is responsible for it, though every party now and then lays it to the charge of its opponents. The terrorists are in all probability a tiny group—if a group they can be called—of political Jack-the-Rippers. Certainly they are not to be confounded with the Anarchists, who form a majority of the working population, and who have again and again disclaimed and repudiated terrorism. Then there are Socialists, comparatively weak; Republicans, strong among the middle classes; Catalan Home Rulers, Carlists, and other parties whose tenets it would take too long to expound. The only party a little hard to discover is the party which is at all warmly attached to the monarchy and the existing order of things. This is a point which it is only just that we should clearly bear in mind. In English-speaking countries, we have forgotten what it means to have to deal with any considerable political party whose avowed aim is revolution, the overthrow of the whole frame of government. In Catalonia, on the other hand, the existing order, instead of being "broad-based upon the people's will," has only a minority in its favour, and rests upon military force, aided by the dissensions of the disaffected majority. One cannot but wonder what forms our own political life would assume if

the party or parties of progress were a party or parties of open sedition.

And dotted everywhere—facing us at every turn—throughout this city of modern industrialism, are monasteries, convents, religious houses of one sort or another, some humble and unpretending enough, but many of them vast and splendid. Some are devoted to education, others to works of charity; but none, it would seem, has succeeded in earning the respect, much less the love, of the working classes, who accuse the "frailes" of humiliating and exploiting the children they profess to teach and train. Exempt from taxation, some of the religious houses compete in the production of certain commodities; and though there are conflicting accounts as to the extent of this competition, there is no doubt that it bulks large in th e popular view.

Testimonies to the abounding unpopularity of the religious orders meet us on every hand. For instance, "A Spanish Liberal" writes as follows to the *Times* of August 8, 1910:—

The congregations pay no territorial contribution. The magnificent properties of the monks pay no rates whatever, and in consequence of this the Spanish citizen living in their neighbourhood has to pay an exorbitant rent. Neither do these religious communities pay the industrial tax or the personal tax. At the same time, their inmates are exempt from military service, and from the redemption fee of £60 in lieu of military service which is exacted from other Spanish citizens.

The result of this is that in certain towns of special industries the workers, especially the women, cannot live. The elaborate working in linen, which formerly gave so much employment to the wives and daughters of the wage-earners, has passed entirely into the hands of the

convents. The workwomen of Saragossa were dying of hunger last year, while in the convents an elaborate trousseau valued at many thousands of dollars was being worked. Such facts as these explain the peculiar vindictiveness of the women against the religious houses—a vindictiveness seen in its full extent during the "tragic week" of Barcelona last year.

The male worker suffers also by the competing industries of the monks. This is especially true in the matter of teaching. Whilst a religious college pays no tax, a secular school is compelled to pay its tax six months in advance. A private teacher can scarcely find occupation.

To the same effect writes Mr. Rafael Shaw, in his very well-informed book *Spain from Within* (Chapter V.)—

The economic question bulks largely among the causes of the popular hostility to the Religious Orders, and if only half the complaints generally made are based on fact, the people have reason on their side.

Formerly, say the women, it was easy to obtain a day's wage by washing in well-to-do houses, and a laundress could make a decent living. Now, in every town of any importance there are one or more convents, called "Domestic Colleges," where orphans or servants out of place are received, and these girls repay the nuns for their board and lodging by doing laundry-work for rich Catholic families. If the girls were allowed to keep even a portion of what they earn, the women say that they would not feel the system to be so unjust. But they declare that this is not the case. Whatever is paid goes to the nuns, and as they, having no taxes or wages to pay, can undersell the laundresses, who are called upon to provide both charges, the lay laundry trade is steadily declining, although the quality of the work is on a par with that done in the convents.

The nuns teach their protégées every class of needlework, lace-making, and a kind of embroidery, or net-work,

which is largely used for priests' vestments, altar-cloths, etc. This competition . . . is felt in every part of Spain. . . . It is increasingly difficult to obtain employment of this kind at any price, owing to the quantity done in the convents and the reduced prices at which the nuns undertake it. . . .

A baker told me: "The *frailes* always demand all the bread we put by for the poor. We would prefer to give it direct to the poor ourselves, for we do not feel sure how much of it they get from the *frailes*, whose housekeepers are great hands at making [sweet cakes and *patisserie*, the foundation of which is generally finely grated stale bread] for sale to good Catholic families. These good Catholic families prefer to buy their *pasteles* cheap from the friars, who say that they are sold for the good of the Church. We do not care to give our stale bread to be used in injuring the trade of our companions the confectioners; for the friars, having no taxes to pay, can naturally undersell ordinary tradesmen, and all the more when they get the bread for their confectionery free. But if we said that we wished to give our bread to our own acquaintances among the poor, the Jesuits would ruin us. They would tell all their clients that we were bad men and enemies of the Church, and we should lose all our trade. We know this by experience." . . .

For years past [Mr. Shaw continues] I have noticed that no member of the working classes salutes a priest or friar in the streets. Day after day one summer I saw the same priests taking their afternoon walk along the same byway, where the same artizans, to the number of twenty or thirty, watched the "long skirts" from the doors of their workshops. I never saw an artizan greet a priest or friar, or vice versâ. The flowing robes of the ecclesiastics swept against the patched garments of the workmen, but no glance was exchanged. The priests kept their eyes bent on the ground, one hand grasping the skirts and the other pressed on the breast, a typical attitude, which is

jeered at by the poor as "canting." The workmen kept their eyes fixed on the work on which they were engaged. It is impossible to imagine anything more hostile than the silent defiance of the men, as they turned to watch the "long skirts" out of sight. . . . "I hate to see them," one of the men said to me; "they are the ruin of us and our country." What made it the more significant was that these same workmen had a pleasant word of greeting for every lay person, man or woman, acquaintance or stranger, who passed by them.

It would be easy to multiply testimonies to the same effect; but one more will probably suffice. It comes from no less an authority than General Weyler, who, on assuming office as Captain-General of Catalonia in November 1909, wrote as follows:—[1]

Religion merits all our respect, but one cannot hide the fact that there are too many convents. These have given rise to a very dangerous and serious economic problem, as, in all branches of industry, they are great competitors with small factory-owners and workmen. . . . This explains the anger and hatred of the working classes, and it is necessary to remedy the abuse. . . . Religion will gain considerably if the rancour, complaint, and miseries caused by the excessive number of religious orders be removed.

This seems pretty strong testimony to the reality of the evil; but there may no doubt be a good deal to be said on the other side. It would be absurd to suppose that the congregations cannot point to some real benefits conferred by some of them on the community. It is not my business to go into these questions. I am attempting to exhibit the state of mind of the populace of Barcelona not to hold the balance between the populace and the orders. The question that here concerns us is simply

[1] Quoted by G. H. B. Ward, *The Truth about Spain*, p. 100.

this: Was there in Barcelona a sufficient body of anti-monastic feeling to render it probable that, in any violent popular outbreak, the mob would tend of its own accord, and without any special "canalization" of its energies, to wreak its wrath on the religious houses? I think the above extracts are sufficient to show that there is nothing in the least surprising in the turn taken by the popular frenzy. The hatred of the congregations, though not confined to Barcelona or to Catalonia, was, and had been for many years, particularly strong in that great industrial community. To attribute the strength of the feeling to the existence of Ferrer's school, or the schools under his influence, is the merest nonsense. His work as an educator lasted only five years (1901–1906), and his school was so small that he cannot have had more than between 200 and 300 children through his hands in all.[1] His influence, rating it at the very highest, must have been the merest drop in the bucket. No attempt was made to show that any individual rioter had been a pupil of his. The plain fact is that Ferrer himself and his schools, far from being a cause of the anti-clericalism that sacked the convents, must be ranked among the effects or products of that passion, which had been strong in the Catalan populace before the Escuela Moderna was dreamt of. We shall see, when we come to look into the origin of the riots, that there were special features in the case which embittered popular feeling against the orders. But even apart from any special and momentary grounds for anger, there was always sufficient distrust and resentment in the popular breast to render it highly probable that, in any

[1] The total numbers for the first four years were 70, 82, 114, 126—in all, 392. But as many children must reappear in more than one of these enumerations, and some, no doubt, in all, it may pretty safely be said that the whole number of his pupils did not exceed 300.

outburst of lawlessness, the *frailes* would be the first to suffer.

Among the reasons why the people looked askance at the congregations, there is one which has yet to be mentioned. The secrecy of the conventual life gives scope for strange imaginings as to what passes behind the impenetrable walls. "Tribunals, authorities, laws, processes, all recoil dismayed from the gates of a monastic house, which is independent of every secular power." So says "Fray Gerundio," author of a book named *El Tormento en los Conventos*, which was prominently displayed on every kiosk in Barcelona during the summer and autumn of last year. The book is no mere catchpenny libel, but a serious indictment, though not, I think, a very damaging one. It seems, indeed, rather remarkable that a stronger case cannot be produced, when we reflect that there are in Spain some 4000 monastic houses,[1] each a little autocracy in which there is no efficient check upon fanaticism and other dehumanizing passions. But, again, it is no part of my business to investigate the actual facts of convent life. It is sufficient to point out that there undoubtedly exists in Spain a very strong belief that the religious houses, and especially the nunneries, are the scene of dire penitential horrors. The morbid curiosity begotten of this belief was certainly not the least among the motives of the Barcelona rioters.

Behind and beneath all definite suspicions and resentments, however, there doubtless lies the feeling that this monastic host, with its hoarded wealth, is in active alliance

[1] There seem to be no trustworthy statistics as to the religious houses. "Fray Gerundio," who professes to give the numbers for each province, places the total in 1908 at 4430, of which 845 were in Catalonia. An apparently careful enumeration undertaken in 1910 placed the number of nunneries at 3007 and of monkeries at 794; total 3801. The total number of nuns was given in 1910 as 41,526, while the total of monks was 12,801.

with capitalism, militarism, and all the enemies of social justice, as it hovers before the exalted imagination of the Catalan workman. He sees in the congregations an ideal which he rejects with loathing, ensconsed behind high-piled bastions of privilege. They are, as a matter of fact, almost entirely outside the law; is it wonderful that the populace, in crises of revolt, should pronounce—and execute—sentence of outlawry upon them?

VIII

FROM LONDON TO MAS GERMINAL

WE have now to trace the two currents of events, one private, the other public, which, flowing together at the fated hour, swept Francisco Ferrer to his destruction.

On April 21, 1909, Ferrer and Soledad Villafranca arrived in London. From his boarding-house, No. 10, Montague Street, he at once wrote as follows to his friend Tarrida del Marmol :—

24/4/1909.

FRIEND FERNANDO,

We are here for a time to rest. We have had so much to do lately that we do not wish to see anybody just yet. Naturally, that does not apply to you. Do not make a special journey to see us. Merely drop in on us, when you come to the city, at 9, or 1, or 6 o'clock, and we will have a chat.

Kind regards, etc.,
F. FERRER.

As a matter of fact, he lived very quietly, occupying himself, under the guidance of Mr. William Heaford, in looking for English books to be added to the library of the Escuela Moderna. The books which specially interested him were those issued by the Moral Education League. He was under the observation of the police, but the only thing that seems to be recorded against

him is that he attended the Labour Day demonstration in Hyde Park. On that point, Professor del Marmol writes to me—

"Ferrer and Soledad Villafranca passed the whole of that day, May 1, in my company. We lunched together at their boarding-house, and then we went to Hyde Park. I remember that I made a speech at the International Platform, while Ferrer and Soledad sat on the grass hard by. Then I presented them to some friends, among others to Madame Kropotkin and to Captain Petavel. But neither Ferrer nor Soledad took any active part in any meeting or demonstration. They attended only one other meeting during their stay in London, and that was at a club in Charlotte Street, where I delivered a lecture on 'The Solar System.'"

A letter from Mlle. Sasha Kropotkin to the *Westminster Gazette* of October 21, 1909, gives us an interesting glimpse of him at this time. Mlle. Kropotkin writes—

"Sr. Ferrer was here at the time of the Hyde Park Budget (?) Demonstration, and he and Señora Ferrer [Soledad Villafranca] lunched at our house a few days later. They had not then the vaguest notion of what was to occur at Barcelona. Sr. Ferrer spoke of the general situation in Spain, of his work, of the fearful Catholic reaction which reigned in the country; but neither he nor his wife had any idea of returning to Spain at that time. Señora Ferrer even offered to teach me Spanish, as they intended to remain in London for some time. Their plan was to go to some quiet English seaside place after that. . . . Any one who has met Sr. Ferrer cannot fail to have felt the peculiar charm of his gentle personality and courteous manners. His was certainly the mind of an active thinker rather than of a militant propagandist."

So weeks passed quietly away. On June 9 he wrote from Montague Street to Charles Albert in Paris, saying that his stay in London was indefinite, and indicating that it would probably outlast the month. He then went on: "As for speaking of the League [for Rational Education] in the *Ecole Rénovée*, that is a thing that must absolutely be done. I insist that both are directed to the same end; otherwise I should not have founded them. It is one thing to keep the two organizations quite independent, and another thing to let the Review appear to ignore the League. . . . I want you yourself to write the article on the League which must appear in the Review. Perhaps you ought to speak in it of the coming assembly of the League, which I now consider very necessary, as I fancy we shall have to propose several modifications in the statutes."[1] Thus we find him, on June 9, intent, as ever, on his educational work, and laying plans for a future which he evidently pictures as quite normal and undisturbed.

Two days later, however, there came an unexpected and melancholy disturbance. On June 11, he wrote from Montague Street to the same correspondent—

Friday 11/6/1909.

MY DEAR FRIEND,

On account of serious illness in our home, we are obliged to return at once to Spain. I should be sorry to pass through Paris without seeing you. We shall arrive to-morrow evening, and go to the Hotel de la Terrasse, Passage Jouffroy, Boulevard Montmartre. If you are free at nine, we shall be on the terrace of the Café de Madrid, Boulevard Montmartre. We shall start for Spain on Sunday or on Monday at latest.

Cordially yours,

F. FERRER.

[1] Letter quoted in full in *Un Martyr des Prêtres*, p. 33.

On the same day, he wrote to the same effect to Tarrida del Marmol—

Friday, 11/6/1909.

DEAR FERNANDO,

We hear from Mongat that my brother's wife and my niece are seriously ill. We leave by the first train to-morrow, and shall not be able to bid you all good-bye. The supper must be postponed until the next time. I will send you news from Mongat. Cordial greetings to all from Soledad and yours,

F. FERRER.

Of the authenticity of these letters there is not a shadow of doubt; and the reality of the reason alleged for his return to Spain is only too sadly certain. Moreover, no human foresight could at this date, or for a month later, have divined the probability of any disturbance in Barcelona. Yet the first piece of "evidence" cited in the Report of the Examining Commandant, read at his trial, was that of the Chief of the Barcelona police, who found it a "strange coincidence" that he should have re-appeared in Spain "at the moment when the troubles were about to break out."

Ferrer spent Sunday in Paris, and left for home on the morning of Monday the 14th. On the 17th he wrote from Mas Germinal to Charles Laisant, "Here we are installed, finding our sister-in-law out of danger, but not so our niece, who remains in a very critical condition." Poor little Layeta (Eulalia), born to José Ferrer in far-off Bendigo, died on the 19th, aged eight years.

For what followed we may turn to a letter from Ferrer to William Heaford written from the Carcel Celular of Barcelona less than a week before his trial—

. . . There I was quietly at Mongat, from the middle

of June, with my wife, tending our poor sister-in-law who was very much broken by her own illness and the loss of her daughter. I diverted my mind, and passed, I must own, some delightful moments, in reading the six English books I had brought with me from London. I think so well of them that I have resolved to have them translated into Spanish, and to publish them, of course after obtaining authorization. All the six, I take it, are recommended by the *Instruction Morales Ligue?* I am not quite clear as to its name. . . . Two in particular have charmed me: *Children's Magic Garden*, by Alice ——? and *Magic Garden's Childhood*. They can be published in Spanish with the single suppression of a tale about Santa Claus which I do not consider good for children. Then the first and second series of Gould's *Moral's Leçons*, which are also very good, except where he speaks of Christ, very little, which I should simply suppress. . . . Then come two volumes, intended for teachers, of which I do not quite recall the titles. *The Teacher's Handbook of Moral's Leçons?* One is by Mr. Walldegrave?—admirable this one, and resting on a large philosophic basis. To be published without a single note. The other is by Mr. Reid, too English in its character, but fitted for publication with a good many editorial notes.

(Where are they now, these dear books, annotated by me, and ready for translation—where are they after the searches and seizures at Mas Germinal? I trust I shall find them again some day.)[1]

From Mongat I went as a rule once a week to Barcelona, to see to my publishing-house, Cortes 596, which gives me a good deal of trouble, absorbing almost all my

[1] The books to which he refers are *The Garden of Childhood* and *The Magic Garden*, both by Miss Alice M. Chesterton; *A Teacher's Handbook of Moral Lessons*, by A. J. Waldegrave; *A Manual of Moral Instruction*, by James Reid, M.A. All these are issued by the Moral Education League, 6, York Buildings, Adelphi, London, W.C. *The Children's Book of Moral Lessons*, by F. J. Gould, is published by Watts and Co., 17, Johnson's Court, Fleet Street.

income, of which, however, I do not complain, for how could I employ the money better than in publishing the books I have published, and those I intend to publish in the future, such as the six I have just mentioned? Is there any greater pleasure in life than that of procuring for others the means of developing their intelligence in the direction of the good and the beautiful, of peace and solidarity? Possessed by this idea, and determined to keep up the *Publicaciones de la Escuela Moderna*, in spite of all the worry and annoyance that enemies (and sometimes, alas! friends as well) procure me, I had decided upon the publication of an illustrated edition of P. Kropotkin's last book *La Grande Révolution* (1789–1793).[1] For business reasons, it was necessary that this publication should take place immediately after that of *L'Homme et la Terre*, by Reclus, which was to be completed in August.

The remainder of this letter will be found in its due place (Chapter XIV.). The above extract is interesting, not only for its account of Ferrer's occupations, but for the glimpse it gives into what may be called the puritanic, not to say pedantic, rationalism of his habit of thought.

It may be said that Ferrer's own retrospect of his occupations, written at a time when he knew that his neck was in danger, cannot be accepted as evidence. Even the corroboration of his friends is subject to discount. But mark this! On July 7, many days before

[1] Mlle. Kropotkin states in the *Westminster Gazette* that one of the accusations against Ferrer was that he had "sent to Barcelona 900 francs for *La Grande Révolution*," and that this was interpreted as meaning that he financed the riots! I do not know where this accusation was made; it is not mentioned in the *Process*; but the misunderstanding is not in itself improbable. Thus an article on "Le Dynamisme Atomique" was mistaken by the Spanish police for a treatise on dynamite; and a translation of Poe's *Raven* was regarded as an anarchistic production because of the mention of the "bust of Pallas just above my chamber door"—Pallas being the name of the man who threw a bomb at Marshal Martinez Campos in 1893.

any human foresight could have anticipated the revolt, Ferrer wrote from Mas Germinal to Alfred Naquet—

. . . I might tell you, too, of the comic surveillance to which I am subjected by the authorities at Barcelona, who every day send a *pareja de civiles* (pair of gendarmes) to take count of my comings and goings, and policemen who attend me to the station and accompany me wherever I go. But I attach no importance to this, accustomed as I am to it ever since my Madrid trial.

The fact that he was under surveillance was confirmed at his trial; so that a false account of his occupations could easily have been contradicted. As no such attempt was made, there is not the slightest reason to doubt that in his letter to Heaford, and several other letters to precisely the same effect, he was telling the simple truth.

An article by Sr. Renato Rugieres in a London paper, *Freedom*, not only confirms on almost every point Ferrer's own account of his occupations during the weeks before the outbreak, but gives us a vivid glimpse of Ferrer and his family pursuing their quiet way undisturbed by any premonitions of disaster. I am permitted to extract the substance of Sr. Rugieres' narrative. His picture of the doomed household on one of the last days of peace vouchsafed to it by destiny is, I think, very human and touching.

The last long chat I had with him was in Mas Germinal, near Mongat, on July 3, 1909, viz. some days before the general strike protesting against the war.

I had received a letter inviting me to spend a day with him. I well remember him. It seems as though I see him now at the Mongat station waiting for me. It was ten o'clock. He was wearing a simple linen suit and a

straw hat, like an ordinary farmer. He received me with his accustomed amiability, and embraced me very affectionately. On the road to Mas Germinal he spoke to me about his stay at his brother's.

"You know," he said, "that my dear niece died, and on account of her illness I am here. I intended to stay in London some months more in order to improve my knowledge of the English language, and search for something good and useful for our schools. In England there are many thinkers, and although their writings are intended for their own people, we can use them by making a few explanations in the translations of them. When we reach home, I will show you a book I have already read, and I should like to publish it. Have the kindness to translate it into Spanish if you consider it in accordance with our aims. The passages marked with blue pencil, and others with ink, you may take out; they touch upon religious matters, and our books are for laic teaching."

The good man who politely begged for my opinion and my help was helping me by giving me that work of translation!

The "dangerous" book, which I had no time to finish before I left Barcelona, was *The Children's Book of Moral Lessons*, by Gould, printed by a publishing firm in Fleet Street, London. English people should know the book, so that they may be able to judge the "terrible evil" the educationist Ferrer was doing in the land of Maria Santísima.

On arriving at the farm, Mas Germinal, I met Mrs. Ferrer, also wearing the plain country dress, and managing the house; in the garden I encountered Ferrer's brother bending over his beloved soil, gathering his strawberries to carry to Barcelona market early next morning; his wife was also busily employed. Everybody was producing something, and I wondered if the martyr was really rich.

The house was a modest one, built in the old-fashioned

Spanish style; and the furniture was certainly neither choice nor expensive.

The happiness of those people, who, instead of living in the stupid manner of the *riches cochons*, preferred to be useful to their fellows by enlightening their minds—I marvel now that it could be destroyed, and in the name of justice!

Before dinner we chatted incessantly about "our" schools—as he called them—encouraging me to take charge of a small one, to make my initiation, or *début*, because I had never made special pedagogic studies.

"Don't worry about those trifles," he said to me kindly; "the aims of the modern teacher ought to be to teach the child how to use his brains; to form from every child a being with his own will, able to know by his own conscience what is wrong and what is right. We do not intend to make lawyers or physicians; we desire only to give the first instructions, free—absolutely free—of religious and social prejudices. It is a fact," he continued, "a thousand times proved, that the greatest educationists were not professional teachers. You are still young, and maybe some day you will become one of my best collaborators," he finished smilingly, putting his hand affectionately on my shoulder.

* * * * *

At dinner-time on the table was a big dish containing rice and chicken—chickens are cheap in the Spanish country—and Ferrer said to me laughingly, "Let me help you well, because there are no more dishes besides this one."

The conversation during dinner was chiefly carried on by his brother José, about the farm, potatoes, onions, etc. Then I understood quite well the origin of the saying of their friends. Francisco's friends said, "He is a fanatic about his schools." José's friends said, "He is a fanatic about his ground and his potatoes."

* * * * *

In the afternoon we went to the cultivated piece of land, and again the conversation turned on "our" schools. Ah! this noble fanatic, always thinking of the welfare of others.

"I have an idea," he said suddenly, taking me by the arm, "merely a dream, even Soledad—Mrs. Ferrer—does not know it. You know," he added, "that I intend to extend my publishing business, and to establish in Barcelona another 'Modern School,' better than that which was closed years ago, furnished with the most modern material, and with a staff who have improved their knowledge in Paris. Afterwards, and *this* is my dream, I should like to build here a country house, where the teachers of our schools could enjoy their last years. Do you think the place is nice? Look at these beautiful views, the trees, the sea, and over all plenty of sun. It is only a dream," he said sadly; "I do not know if it will be possible or not. One finds so many difficulties in carrying out educational work in a country where the priests are in power!"

At five o'clock we entered the cottage to take tea, an English tea, which reminded me of my first day in this country last year.

The brother José and his wife were in Australia for many years, and therefore they speak English like natives. Mrs. Ferrer—Soledad—was trying to compete with me in my broken pronunciation of English, and they were all very much amused at our efforts.

When, about six o'clock, my regretted friend and I reached Mongat station, he pointed out to me a man of repulsive appearance on the platform, and in a low voice and smiling, said to me, "That is 'my man'"—this was the name he gave to the secret policeman ordered by the Government to follow him everywhere when in Spain. "Do you not think it is a funny affair? Happily, this one is very lazy, and he does not like to disturb himself to follow me up to Mas Germinal. Only when I go to Barcelona, he accompanies me."

The train arrived; we shook hands, and I entered a second-class car of the Spanish "tortoise railway." The train departed. Once more my feelings of admiration and love for that noble man increased. In his private life and in his public affairs he was the same. He *practised* his ideals. No wonder he lost his life for them!

This is the "terrible criminal" who, according to Maura's Cabinet, was at that time arranging the burning of the convents and the profanation of the graves!

On every hand, then, we find concurrent testimony to the perfectly normal course of Ferrer's life during the days and weeks before the outbreak. His every action is accounted for by evidence the greater part of which is wholly above suspicion: the evidence of letters written at a time when it is inconceivable that he can have foreseen the coming of trouble. Documents written by himself after his arrest, and by others after his execution, are in themselves, no doubt, more open to suspicion; but though this is true in the abstract, it will scarcely weigh much with us in the concrete, when we find that the prosecution does not produce, or pretend to produce, one jot or tittle of evidence that is in the least degree inconsistent with the above account of his employments. He is known to have been shadowed; but he is not found in consultation with any of the leaders of the revolt. Hundreds of domiciliary visits were made, and thousands of documents were seized; yet no scrap of Ferrer's writing is produced that has any bearing on the insurrection. There is, in short, absolutely no evidence even purporting to show that in the days preceding the outbreak this "author and chief of the rebellion" raised a finger to bring it about.

IX

THE MELILLA ADVENTURE

THE stream of private events, then, had been, save for the death of little Layeta, absolutely smooth. We must now follow the converging and very agitated current of public affairs.

Certain mines in the Riff region of Morocco, some twenty miles from the Spanish settlement of Melilla, had for over a year been worked intermittently, and "under precarious circumstances," by an inextricably complicated group of capitalists, mainly, but not exclusively, Spanish. A railway was in course of construction from Melilla to the mines; and at eight in the morning on July 9, 1909 —nearly a month after Ferrer had left London for Barcelona—a body of Moors attacked the workmen engaged on the line and killed three or four Spanish subjects. The military governor of Melilla, General Marina, at once sallied forth to punish the marauders—and found himself in a hornet's nest. A few far-sighted politicians and military men professed to have foreseen some such development; but to the Spanish nation as a whole, the war came like thunder from a clear sky. "At Barcelona in the beginning of July," says the author of *La Semana Trágica*, "no one could have imagined that before the month was out the city would be the scene of a revolutionary movement. . . . There were no premonitory symptoms. Not a

cloud gave warning of the transition from calm to tempest." Yet the Chief of Police, as we have seen, did not hesitate to suggest that it was a prevision of trouble that brought Ferrer home from London, nearly a month earlier.

The very first news from Melilla made it evident that reinforcements, and large reinforcements, were urgently needed. Already on the 10th, the day after the first shot was fired, King Alfonso signed a decree authorizing the Minister of War to call out the reservists, in such numbers as he should deem necessary. Regiments were hastily brought up to their full strength and hurried to the coast. It was natural that Barcelona should be one of the chief points of embarkation; but had the Government understood its temper they would at all costs have avoided employing it for this purpose.

In most countries the working classes, on the outbreak of a war, are apt, for a time at least, to yield to the contagion of patriotic fervour, and shout themselves hoarse with war-cries and war-songs. Why was the sentiment of the Spanish working class so utterly different? The reasons are clear, and may be grouped under three heads. In the first place, the Anarchism which is dominant among the Spanish operatives is essentially an internationalist and pacificist doctrine. Its very name declares it anti-patriotic. It regards the flag without emotion, and considers the "national honour" a myth invented by the soldiers and priests who conspire with the capitalists in that process of exploitation which they call government. In this respect, too, the views of the Socialists are practically identical with those of the Anarchists. Both parties accept the principle laid down at the Congress of Stuttgart: "Better insurrection than war." In the second place, this particular campaign had all the appearance of a war of sheer aggression,

undertaken at the dictation of a group of millionaires, closely allied with the Government, whose interests were inexpressibly indifferent to the Spanish workman. It was believed, too, rightly or wrongly, that many of the mining shares were held by, or for, the Jesuits. In the third place —and it was this that brought the women in their thousands into the ranks of the protesters—the incidence of military service was exasperatingly unjust. On the one hand, the son of the bourgeois, who could afford to pay sixty pounds for exemption, need not join the army at all ; on the other hand, most of the reservists now being called out were men who, after two years with the colours, had been permitted to return to civil life and to marry. They were now torn from their wives and families, to throw away their lives—as seemed only too probable—in an ill-omened war, undertaken for the enrichment of a few financiers. That was how the campaign represented itself to the popular mind, especially in Catalonia.

On July 11 (according to the Barcelona correspondent of the *Times*) the first detachment of 1900 troops set sail from that port. From the 14th to the 18th inclusive, one or more transports sailed every day. The town was alive with soldiers marching from station or barracks to the harbour, most of them, it would seem, local levies. On the 17th and 18th alone, more than 6000 men were embarked. Only nine days had passed since the first bad news had arrived from Africa, and the populace had not yet had time fully to realize what this sudden mobilization meant for them. During the week, therefore, though many meetings of protest against the war were held in various places, there were but few disorderly incidents, and these of a trifling nature. But on the 18th, which happened to be a Sunday, the embarkation of a

local battalion was accompanied by scenes which showed that the people were awakening from their stupor. I condense the account of the incident given in Leopold Bonafulla's book *La Revolución de Julio.*

The men called to the colours, says Sr. Bonafulla, made no attempt to skulk or shirk; but among their wives, mothers, sisters, and friends there was great indignation against the Government which had torn them from their homes, and against the inequalities of the law. Many were going to die in Africa, though it was six years since they had entered on their military service, four years since they had returned to civil life, and three years or more since, with the authorization of the Captains-General, they had married. In most of the houses of the reservists there remained children without a father, parents without the son who supported them, families, in short, given over to misery and hunger. Meanwhile, in the houses not only of the rich, but of all who had the means to escape the conscription, young men of twenty remained undisturbed and at their ease.

As the troops marched down the Ramblas, they were accompanied by crowds of women and children, and the order of march was soon broken. The soldiers mingled with the crowd, and many were seen carrying children while their wives carried their rifles. On the wharf there was an immense concourse; but there was no prepared manifestation. The multitude had no thought but to bid farewell to sons, husbands, and brothers.

But when it came to the actual parting, to the disentangling of the soldiers from the crowd, there was a scene of great disorder and vehement protest on the part of the distracted women-folk. There were cries of: Throw down your rifles! Let the rich go! All or

none! Come home again!" Many rifles, it is said, fell into the water. The confusion was so great that several desertions took place, soldiers slipping away with their wives in steamers bound for foreign ports.

I have omitted some of the more dramatic details of Sr. Bonafulla's narrative, because I do not find them confirmed elsewhere. But on one point there is complete concurrence of testimony: when some kind Catholic ladies boarded the transports dressed in their Sunday finery, to distribute scapularies and other appropriate trifles to the soldiers, they were shocked to find their benefactions received with contumely and thrown into the sea.

Similar scenes took place in many other parts of the country. Two days later, on Tuesday the 20th, the entrainment of a body of troops at the Southern Railway Station in Madrid, led to a stormy scene, even more serious than that which we have just witnessed in Barcelona. "Muera la guerra!"—"Down with the war!"—was the cry on every hand. Bad news from Melilla, obviously "doctored" news, and silence which was interpreted to mean the suppression of news, heightened the popular exasperation. There come reports of "fierce fighting," of a "general attack on the Spanish headquarters," of a position defended by 2000 Spaniards and attacked by 6000 Moors. It is said that a Holy War has been proclaimed, and that many Moorish tribes not yet engaged are combining against the Spaniards. General Marina is reported as saying that "the military operations will last longer than was anticipated" and that 40,000 men will be required. Meanwhile it is officially announced that the "nervousness" of the public has no effect on the ministry, "whose policy is to pour troops into Melilla until the resistance of the tribes is broken." Appeals are made to

the Premier, Sr. Maura, to summon the Cortes; and by remaining obstinately deaf to them, he confirms the impression that the youth and strength and welfare of the people is being flagitiously sacrificed to the interests of a gang of capitalists, with whom the Jesuits are in secret partnership. Obviously inspired announcements that "the omens are entirely favourable," are of little avail against reports of battles between 15,000 Spaniards and 16,000 Moors, which are at best indecisive, and are followed by the announcement that "the Spanish troops have abandoned their advanced positions." At last matters come to such a pitch that on July 25 a Reuter's telegram from Madrid states that the Minister of the Interior, Sr. La Cierva, has ordered provincial Governors to seize the editions of any newspapers publishing news of the war, or of the departure of troops, other than that contained in official communications. The same order applies to Madrid.

And along with high-handed censorship of the press, there of course went the suppression of public meetings. On Sunday the 18th—the day of the parting scenes at Barcelona—the Socialists in Madrid had held a very large meeting of protest against the war. But from that date onwards, the Government began industriously to sit on the safety-valve, and from all sides there came reports of meetings forbidden or dispersed by the police.

In Barcelona, on Friday the 23rd, there was to have been a general assembly of delegates of the Solidaridad Obrera, an organization of which we shall hear much in the sequel. It is a federation of working-men's societies of all shades of opinion, the Catalan counterpart of the French Confédération Générale du Travail. The Civil Governor, Don Angel Ossorio, decided to prohibit the

meeting; and it was this prohibition which determined the outbreak. The idea of a general strike as a protest against the war, had, indeed, been mooted in *La Internacional* of the previous day, Thursday the 22nd; but it is doubtful whether it would have taken shape had the meeting been permitted. A Strike Committee of three was formed, representing Sindicalists (Trade Unionists), Socialists, and Anarchists. The Solidaridad Obrera, as such, was not represented; nor was the Republican party. The Republican leaders were on very bad terms with the Solidaridad Obrera, and for this reason, among others, they held back; but the rank and file of the Republican party heartily co-operated in the movement. As for the date of action, the choice lay between Monday, July 26, only three days ahead, and the following Monday, August 2. Some were in favour of the later date, which would have given time for communication with distant parts of Spain, so that the strike might have been, not merely Catalan, but national. This council was overborne, partly, perhaps, by Catalanist feeling, but mainly, it would seem, owing to the Anarchist impatience of organization and concerted action.

The three members of the Strike Committee are perfectly well known. I have had long talks with one of them. They scout the idea that it would ever have occurred to them to take Ferrer into their confidence. On the Saturday and Sunday there was a great deal of coming and going, and much communication by letter, between workmen and workmen's societies in the various parts of Barcelona and in the surrounding townships. It is not denied that on these days Ferrer (watched, remember, by the police) stayed quietly at Mas Germinal. There is no evidence of any one going to see him; no evidence of his

having written a letter to any one who was in any way connected with the movement; no evidence that he had the smallest knowledge of what was brewing.

The method of action adopted by the Strike Committee was that which is known as "the snowball." Each of the three Committee-men had a lieutenant; each lieutenant was to communicate with four delegates; each delegate with four others, and so on. By this simple but effective means the call to a general strike for Monday the 26th spread through the manufacturing towns of Catalonia. It was nominally to be a pacific protest, lasting twenty-four hours only, against the Moroccan adventure. There were doubtless many who hoped and believed that it would not end there; but of actual organization for anything further no one has discovered a trace. "In Barcelona," says Don Angel Ossorio, the Civil Governor before mentioned, "no one *prepares* a revolution, for the simple reason that it is always prepared. . . . Of conspiracy, of plan, of concerted action, of casting of parts, of recruitment, of payment, of distribution of arms, of issuing of orders, in preparation for the events of the 26th, I have not heard a single word."

X

THE RED WEEK

I SHALL now give a rapid sketch of the course of events in Barcelona, leaving Ferrer, for the moment, entirely out of the question. It is amazingly easy to tell the story of "the Revolution of July" without a single reference to the "author and chief" of it.

In the early hours of Monday the 26th some workshops and factories resumed work as usual; but as soon as the news spread that the strike was actually taking effect, work was everywhere abandoned. In some cases the employers themselves ordered their workmen out, fearing to have their windows broken. Bands of women went from shop to shop and from office to office, demanding that business should cease; and they seem to have met with no refusals. Throughout the disturbances women took a leading part. It was in great measure a woman's revolt; and the assertion that only, or chiefly, the worst class of women were concerned, is by no means borne out by the evidence.

But—unfortunately, as it proved—there was one large body of workers which refused to stand in with the rest. Throughout the morning the electric cars ran as usual, and the servants of the company declined to quit their posts. Had they done so quietly, the day might have passed in peace, and work might have been resumed on

the morrow. It was in stopping the tramway service that the first acts of violence took place. Cars were overturned and burnt; rails were torn up; and the police and gendarmes, in trying to protect the car service, came into frequent conflict with the crowd. There was a good deal of shooting on both sides, and blood began to flow in several parts of the city. By three in the afternoon—some accounts say by midday—the street-car service had entirely ceased. Cabs, too, had been driven from the streets, and two at least of the railways connecting Barcelona with the outside world were put out of action. It was not till next day that the isolation of the city, whether by rail or wire, was rendered almost complete.

How, in the meantime, were the authorities employing themselves? They were undoubtedly in rather a tight place. The military garrison had been depleted by the war, but there remained eight hundred regular troops in Barcelona. Of policemen there were eight or nine hundred, and about one thousand gendarmes, or "Guardias Civiles," a fine body of men known as the *Benemérita*, and very loyal to constituted authority. These forces were certainly none too many to hold in check a rebellious populace of half a million, in a city covering some forty square miles of ground. A considerable number had to be immobilized for the protection of arsenals, military stores, etc.; and the soldiers, as a whole, were not greatly to be relied upon, as the people insisted on cheering them wherever they appeared, and treating them as the victims of governmental oppression. It is said—but I do not think the evidence is very clear—that in more than one instance soldiers disobeyed the order to fire upon the people.

Under the circumstances, the best policy would probably have been one of conciliation. The disturbance

might have been treated as a more or less legitimate movement of protest, all measures being directed toward securing the peaceful resumption of work next morning. If this policy ever occurred to any one, it was negatived in advance by a telegram received on Sunday the 25th from the Minister of the Interior, Sr. La Cierva, urging that anything in the nature of a strike must not be treated like an ordinary economic manifestation, but repressed with vigour, as a rebellion.

The Civil Governor, Don Angel Ossorio, has been much ridiculed for not knowing that a strike was in preparation; but he has shown conclusively that he did know it. He was apparently a weak man in a situation which a strong man could scarcely have dominated with the forces at his disposition, and on the principles inculcated from headquarters at Madrid.

At midday the Junta (a small body of officials) assembled, and, outvoting the Civil Governor, determined to declare the state of siege. Thereupon the Governor resigned in a pet—according to some accounts, he was practically dismissed by an insulting telegram from Sr. La Cierva—and absolute authority devolved upon the Captain-General, Don Luis de Santiago y Manescau. This officer signed a proclamation of the state of siege—"estado de guerra"—which at four o'clock was placarded on all the walls. The opinion of the Junta had been that the proclamation would at once terrorize the people into quietude; but it had no such effect. Throughout the afternoon and evening there were constant skirmishes between the forces of order and the people. The proclamation declared that all "groups" formed in the streets would be broken up by force; and in carrying out this policy the authorities successfully embittered the popular irritation.

When night fell on Monday, however, no very great harm had been done. It seems pretty clear that a little tact and conciliation might still have secured the resumption of work on the Tuesday morning; but, as a matter of fact, the authorities were hopelessly out of touch with the people. In the central parts of Barcelona, the morning of Tuesday the 27th passed quietly enough; women went about their marketing as usual, and, but for the absence of all wheel traffic, the non-appearance of the newspapers, and the constant patrolling of the streets, the city wore almost its normal aspect. From some of the outlying districts, however, firing could be heard. In Pueblo Nuevo, quite early in the morning, a school or refuge belonging to the Marist order, was attacked and burnt, the director of it being killed. This was the first burning, and probably the first death; but several people were killed in a skirmish between the mob and the soldiers who presently came on the scene. After this isolated act of lawlessness, however, there followed a pause of five or six hours. It was not till the afternoon that the strike definitely and suddenly flamed up into an insurrection.

The movement had by this time quite got out of the hands of the Strike Committee. They had not, indeed, ordered the resumption of work, because to have done so would have been to desert other towns of Catalonia, where events had already assumed a more decidedly revolutionary character than they had in Barcelona. Moreover, in the absence of telegraphic news, wild rumours and wild hopes were abroad as to the success of the revolution in other parts of Spain; so that they determined to await developments. But it was no order of the chiefs that led to the ultimate outbreak. It was partly the impatience of the reservists, who preferred fighting in Barcelona to fighting

in Africa. It was partly the fact that the official Radical-Republican leaders held aloof in dismay, and gave their partizans no lead at all. It was partly a rumour which got abroad that ten Catalonian soldiers who had taken part in the scenes of Sunday the 18th had been led out and shot on their arrival at Melilla. But mainly, I suspect, the sudden effervescence of Tuesday afternoon was the inevitable result of prolonged nervous tension, lacking the safety-valve of work. "Satan finds some mischief still for idle mobs to do."

Some people seriously believe that the revolt was fomented by Carlist agents, clerical and lay, in the hope that it would spread over Spain, and that the Pretender, Don Jaime de Bourbon, might "sail into power on the wave of revolution." There is, it would seem, some evidence for the belief that, in the event of a Carlist rising, some of the religious orders would have been found armed,[1] and willing to use their arms in the cause of Ultramontane reaction. But to believe that the Jesuits, or any other order, actually lighted the torch of the incendiaries, is a feat of credulity far beyond me. I cite the theory merely as one more proof of the profound distrust with which the congregations are regarded. There is, in truth, not the slightest need to fly to any such melodramatic hypothesis. The facts of the case are briefly and convincingly stated by Don Angel Ossorio, who, however unlucky in his measures of repression, was on the spot and in the best possible position to know what he was talking about. He writes: "In the melancholy events of July, there are two elements to be distinguished: the general strike, *a thing prepared and known*, and the anarchistic-revolutionary movement,

[1] It is certain that several attacks upon the Jesuit College in Barcelona were repulsed by armed students of the institution.

of a political character, *a thing which burst forth* (*surgió*) *without preparation.*" The italics are Don Angel's.

Be this as it may, in the early afternoon of Tuesday, the revolt, which had been simmering for thirty-six hours, finally boiled over. Sr. Brissa, the compiler of the most impartial and trustworthy history of the Red Week, thus describes the actual outbreak—

"At half-past one, the writer of these lines crossed the city from the Rambla to the Entrada de Gracia without observing in the streets any other abnormality than those above noted [the absence of street-cars, the military patrols, etc.]. But when he returned to the centre of the city two hours later, the aspect of affairs had entirely changed. Barcelona was in full revolution. Hundreds (!) of barricades had risen as if by magic. . . . In the poorer quarters, particularly in the Paralelo, enormous multitudes had gathered. They completely filled the spacious Ronda de San Antonio.

"Soon there rose a column of smoke, towering into the firmament; and a few minutes later, another. It was the church and convent of the Jerónimas, and the grandiose establishment of the Escolapios, church, school, academy and laboratory, that had been given to the flames.

"Nor was it long before new columns of smoke arose. When night fell on Tuesday, in city and suburbs together, something like thirty churches and convents were blazing.

"Incendiarism continued its work during the whole night and a portion of the following day, destroying, wholly or in part, some fifty ecclesiastical buildings. The famous convent-burning of 1835 was but a trifle compared with this."

From two o'clock on Tuesday, for something like sixty hours, anarchy reigned in Barcelona. The street fighting

was incessant, so long as daylight lasted, except for a sort of truce in the early mornings. The fact that no revolt had been prepared was apparent in the very inadequate arming of the insurgents. They looted some gun-stores, and carried off the arms from some pawnshops; but these sources of supply were very soon exhausted. It was no doubt by reason of this insufficiency of weapons and ammunition that the losses on the Government side were almost ridiculously small.

On the night of the 27th, from the surrounding hills, the spectacle of Barcelona dotted all over with conflagrations must have been at once superb and terrible. But there was no strategy in the fighting, no method in the convent-burning. It was all desultory, planless, purposeless: an uncontrollable ebullition of rage and mischief. The authorities were still in telegraphic communication with Madrid by way of the Balearic Islands; and one line of railway had either not been cut or had been restored.[1] Troops reached the city from distant parts of Spain, who were more to be trusted than the local levies. Artillery was brought into play against the barricades. On Thursday evening the Captain-General placarded on the walls a royal decree "suspending the constitutional guarantees" in the provinces of Barcelona, Tarragona, and Gerona; but by that time the revolt had pretty well exhausted itself. Business began to be resumed on Friday, though conflicts still occurred in the streets in certain quarters. By Monday the city had regained its normal aspect, and the "tragic week" was over.

The total death-roll was comparatively small. It is

[1] Sr. Villaescusa, in his history of the "revolution" from the Catholic point of view, states (p. 21) that the direct line to Madrid had remained intact. If this be so, what are we to think of the alleged masterly organization of the revolt?

generally placed between sixty and seventy; but the Minister of the Interior, in the Cortes, stated it at one hundred and four. Apparently marksmanship was not the strong point of the combatants on either side. The losses among the soldiers and police were not more than four or five all told. The wounded on both sides were, of course, very much more numerous.

It has been the policy of Catholic commentators to write and speak as though some sinister mystery underlay the fact that the protest against the Melilla adventure took such a violently anti-clerical turn. I trust I have shown that there is really no mystery in the matter. The religious houses were chronically and intensely unpopular; the clergy were supposed (and rightly) to be hand in glove with the militarists; and they were suspected of being financially interested in the Melilla operations. It remains to be added that a most unwise attempt had been made in some quarters to represent the war in the light of a crusade of the Christian against the infidel—a piece of hypocrisy that deceived no one and irritated many. At a meeting of four thousand workmen held at Tarrasa, a manufacturing town in the immediate neighbourhood of Barcelona, a few days before the outbreak, a resolution was passed protesting against "the sending to the war of citizens productively employed and, as a rule, indifferent to the triumph of 'the Cross' over 'the Crescent,' when it would be easy to form regiments of priests and monks who, besides being directly interested in the success of the Catholic religion, have no family or home, and are of no utility to the country."

In view of such a resolution as this, we need scarcely look much further for the connecting link between anti-militarist and anti-clerical manifestations. But it happens

that we know precisely whence the immediate suggestion of incendiarism proceeded. On Sunday the 25th, the day before the strike and two days before the revolt, Sr. Lerroux's newspaper, *El Progreso*, the most influential in Barcelona, contained an article, headed with the English word

¡REMEMBER!

recalling the fact that that day was the anniversary of a great outburst of convent-burning in 1835, and deploring that, in these degenerate times, there was no likelihood of its repetition! No one who reads this article can have the smallest doubt as to who lit the first torch. "On this day sixty-four years ago," says the writer, "the convents, which already at that time swarmed in the city, and surrounded it as with a strong wall of religious despotism, were assailed and burnt. The popular song reminds us of those virile days." Here he quotes a stanza in the Catalan speech, and then continues: "Our grandfathers were no longer minded to endure the monkish dominion; and they broke it, reducing to cinders the edifices which were the symbols of oppression. To-day times have changed, and cowardice masks itself behind the words tolerance, culture, moderation." Then, alluding to the fact that the outbreak of 1835 had followed a bull-fight, he exclaims, "Alas that the great programme of to-day's *corrida* should not be followed by such an epilogue of liberation!" Ferrer, I may remark, was at this time on bad terms with the Republicans and their organ, *El Progreso*.[1] Not the slightest attempt has been made to connect him with the (literally) incendiary article. Yet

[1] The proprietors of *El Progreso* had had a bitter quarrel with their printers, who were backed by the Solidaridad Obrera; and Ferrer had openly sided with the Solidaridad against the paper.

he is in his grave, while the responsible editor of *El Progreso*, Don Emiliano Iglesias, is in the Cortes.

As to the constitution and behaviour of the convent-burning mobs, there is an almost ludicrous conflict of evidence, or rather of assertion. The clericals try to make them out worse than fiends, the anti-clericals depict them as almost angelic in their chivalry and humanity. On August 4 the *Correspondencia* of Madrid published a communication from its Barcelona correspondent in which he declared that, on the night of July 27, "mad drunk with blood, wine, lust, dynamite, and petroleum, with no other desire than to kill for killing's sake," the rebels destroyed the convents and massacred their inmates.

Who can tell the number of dead, wounded, and burnt who are buried beneath the ruins? . . . Spare me the recital of the details of the martyrdom of the monks, of the maltreatment of the nuns, of the brutal way in which they were sacrificed. . . . I can only say that many died at the foot of the altar, stabbed by a thousand women; that others were torn to pieces, their limbs being carried about on poles; that not a few were tortured to death; and that all passed to another life with the crown of martyrdom.

This is a fair specimen of history as it was written in the days immediately succeeding the outbreak; and, though every one now admits that it is delirious nonsense, the clerical party, while abandoning the details, still writes as though the general picture were a true one. As a matter of fact, the hecatomb of martyrs reduces itself, even by Catholic computation, to four: two priests shot (one of them in the act of firing on the mob), one priest suffocated in the cellar of his burning church, and one nun brutally killed. For the last outrage the evidence seems to be

very insufficient;[1] for the death of the three priests, and the mutilation of the body of one of them, the evidence is pretty strong. It is absurd, then, to pretend, as some people do, that the mob was absolutely seraphic in its ardour; but it is certainly very remarkable that, in such a wild outbreak, murder, and even fatal accident, should have been so infrequent. There is abundance of evidence, from the mouths of priests and nuns themselves, that the general temper of the mob was not in the least homicidal,[2] and that they took pains to have the buildings cleared of their inmates before setting fire to them. Even so, no doubt it was sufficiently alarming and distressing for hundreds of religious ladies to be forced to quit their sanctuaries at a moment's notice, and see them delivered to the flames. It is with no view of defending the conduct of the rabble that I insist upon the essential difference between burning an empty convent and burning it over the heads of its inmates.

But, if the revolt was far from being a massacre, at least, say some, it was a scene of unbridled rapine. On this point, too, the opposing parties take up violently

[1] A proclamation published on August 9, 1909, in the *Boletín Oficial Eclesiástico* by the titular Bishop of Eudoxia and Vicar Capitular of the diocese of Barcelona, denounces in no measured terms the misdeeds of the rioters, but speaks of the death of only one priest, and says nothing of any outrage upon a nun. That he should not have heard of it, twelve days after the event, seems incredible; and still more incredible that, knowing of it, he should have kept his knowledge to himself. Moreover the Auditor, in his "dictamen" on Ferrer's sentence, relates in detail (p. 312) a case in which a nun was somewhat roughly handled by the mob, but evidently knows nothing of any outrage and murder. The Prosecutor (p. 258) uses vague language, which might be taken to mean that many such cases had occurred; but this is evidently a mere rhetorical flourish—he has no individual case in his mind.

[2] There were several instances, recorded by priests and nuns, in which the rioters, on realizing the beneficent nature of a particular institution, passed it by uninjured, and even took trouble to protect it from other aggressors. Note the cases of the Casa-Asilo de San Andrés and the Hospital de niños escrofulosos de San Juan de Dios, Brissa *La Revolución de Julio*, pp. 91 and 131.

contradictory positions. It would be ridiculous to suppose that in a great city like Barcelona, not noted at any time as a home of all the virtues, the destruction of half a hundred rich ecclesiastical buildings should be wholly unaccompanied by robbery. I am not aware that any serious crime of this nature has been legally brought home to the rioters. · We do not hear, for instance, of any one attempting to sell or pawn valuable objects from the loot of the monasteries, and convicted of the offence. The robberies definitely alleged are of a trifling nature—a great barrel of olive oil carefully tapped and emptied, fruit-trees despoiled, chickens carried off and sold for three halfpence apiece. It is highly probable that many such depredations, and some, perhaps, of a more serious nature, were committed by the dregs of the populace, the camp-followers of the revolt. But there is clear evidence that robbery was not the motive of the main body of the incendiaries. They were bent on destruction, not on theft. They made bonfires, not only of objects of sanctity, but of objects of value. No bank was attacked; no store, other than gun-stores; not one of the many splendid houses of the commercial magnates of Barcelona. The word "sack" is no more justly applicable to the events than the word "massacre."

But while the mob, as a whole, was neither murderous nor rapacious, it was blind and superstitious in its rage against all things associated with religion. Its deeds show no trace of any rational leadership. It did not, for instance, single out for destruction those institutions which competed unfairly in confectionery, laundry work, or other industries. The great majority of the buildings destroyed lay under no such suspicion. Some were inoffensive houses of retreat; not a few were charitable institutions

for the benefit of the working classes themselves. One (I am credibly assured) was a crèche or day-nursery for infants, which is now sadly missed. But, while this proves the lack of reason in the crowd, it also proves the failure of these charitable institutions to establish themselves in popular esteem. Priests and nuns engaged in education complain bitterly that the parents of some of their pupils, and even the pupils themselves, were prominent among the rioters. "The pity of it!" cries the Mother Superior of the Franciscanas de la Concepción. "The first stones thrown against our house came from the hands of three girls who had been our pupils!" This is by no means an isolated instance; and such facts show that, however excellent its intentions, conventual education was not always very fortunate in its results.

Now that the charge of massacre proves to be unfounded, however, the main allegation against the mob is that they desecrated tombs, and paraded the streets with the embalmed bodies of religious ladies. The fact is undoubted. In more than one convent, the niches of the crypts were broken open and bodies dragged to light, to the total number, it is said, of about thirty-five. But it is no less certain that the motive of this profanation was a desire to ascertain whether there was any sign of the nuns having been tortured, or even buried alive. It was found, as a matter of fact, that many of the bodies had their hands and feet bound together; and, though this is susceptible of a quite innocent explanation, it was not unnaturally taken at first as confirming the most sinister rumours. To the Anglo-Saxon mind, it would seem that when a community walls itself in from the world, and admits no intervention of the law, no public inspection of its practices, whether in life or death, it should not

complain if suspicions arise as to the nature of these practices. The alleged design of the rioters was to take the bodies to the *Ayuntamiento*, or town hall, that their condition might be publicly verified. Few, if any, of them seem to have reached that destination; but, with sharp fighting going on in the barricaded streets, this was scarcely surprising.

I am inclined to believe that the mob, in its summary researches, discovered no good evidence of torture or other malpractices in the religious houses. A so-called "roasting-bed" in the Magdalen Convent—a bed of sheet iron screwed down to the floor, under which it was said that gas-jets could be lighted—was examined by Mr. Henry Nevinson of the London *Daily News*, who satisfied himself that the gas apparatus was imaginary, and that, in all probability, the bed was intended for insane patients, who might have used loose iron slats to do an injury to themselves or others. Similarly, a "coining apparatus" found in one of the monasteries was probably a machine for striking schoolboys' medals. It was, of course, said that materials for the making of bombs had been discovered; but I do not know that any serious attempt has been made to substantiate this charge.

There is more evidence for the assertion that some of the *hombres de los terrados*—mysterious persons who devoted themselves to "sniping" from the house-tops—were, in fact, clerics who desired to enrage the troops against the townspeople. Many accounts are given of the exploits of these elusive sharpshooters, to the fact of whose existence all parties bear witness. Here is Mr. Rafael Shaw's version of the matter—

Notwithstanding that the fighting was over, shooting from the roofs of the houses went on for two days more:

the shots came from invisible persons concealed behind the parapets and other sheltered positions. And, what was more remarkable, whether the shooting was in working-class districts, or, as was frequently the case, from houses in those quarters of the city where rich men live, the noise of the report and the bullets which were found were always the same. The "man on the roof" invariably used a Browning pistol, a weapon not easily procured by a poor artisan. Thirty, forty, fifty such shots would be fired in succession, the troops would hurry up to the roof from which the bullets came, find no one there, and see nothing suspicious, yet hear the rattle of the shots again as they returned to their duty in the street below. A civilian who ran up the stairs from the ground floor in one of the "haunted" houses told me that although several shots were fired as he ran, no one was to be seen above, except a young priest professedly on the same errand as his own. It was said that among the many people arrested there was at least one priest. But nothing more was heard of him, and whether he was released as innocent, or allowed to disappear, was not revealed to the public.

The truth of the matter will probably never be known; but even if it be the fact that one or two mischievous fanatics were caught at this game, it would be unfair to make the Catholic Church responsible for them. The clerical no less than the anti-clerical host would naturally have its fringe of malefactors.

The history of the Red Week is not strictly speaking relevant to our inquiry. There is scarcely the shadow of a pretence that Ferrer took any active part in it. We shall find, indeed, one witness who thought he saw him "captaining a group" at a stated time; but the group was not doing anything in particular. At the very opening of his speech before the Military Court, the Prosecutor

explicitly renounced all idea of bringing home to him any individual act of rebellion. The details of the revolt, then, have nothing to do with the question of his guilt or innocence. It seemed well, however, to sketch the course of events, not only because they are of some interest in themselves, but also because it is important that they should be seen in something like their true proportions. We shall see later how lurid and rhetorical exaggerations of the horrors of the revolt were used to inflame the public mind, and the minds of his judges, against Ferrer, in calm disregard of the desirability of proving, in the first place, that he was in any way responsible for them. As though the magnitude of the crime of which a man is accused were in itself a reason for believing him guilty of it!

XI

FERRER DAY BY DAY

IT is now time to return to Ferrer, whom we left living peaceably at Mas Germinal, fully occupied with his editorial tasks and schemes, and smiling at the spies who were set to watch his movements.

On July 22—just four days after the Sunday that witnessed the first scene of protest against the war, and four days before the Monday of the general strike—he wrote a letter to Miguel Moreno, formerly a teacher in the Escuela Moderna, who desired to discuss with him the possible foundation of a farm-school. Here is the letter in full (I have seen the original)—

Mongat, 22/7, 1909.

FRIEND MORENO,

I have so many things to arrange and put in order here at Mongat that I intend to go very little to Barcelona until I have finished.

In order to see me, the best plan would be for you to come here on some holiday afternoon. But, if that does not suit you, I would come to Barcelona on Sunday morning, by a train that arrives at nine. In that case let me know beforehand and meet me at the station.

I repeat that I am your affectionate

FERRER.

We have recently lost a niece eight years old, to our no small sorrow, as you may suppose.

Here we find "the author and chief of the rebellion," four days before its outbreak, not even mentioning public affairs, and expressing a wish to avoid coming to Barcelona. Moreno, however, in his reply, suggested a meeting at the station, not for Sunday, but for Monday morning; and to this Ferrer agreed. As we have seen, he certainly did not visit Barcelona in the interval; for, had he done so, the police spies would have reported the fact, and the prosecution would not have failed to make much of it. But perhaps he was all the time plotting the revolt by correspondence? No one who has any experience of the Spanish post-office will believe this possible; and, as above noted, no single letter of Ferrer's has been produced inciting to, or in any way bearing upon, the disturbances. The prosecution, in short, though it admitted that Ferrer was under close surveillance, did not even attempt to bring home to him a single act of preparation or organization during the critical days before the outbreak. What would a jury have thought of this omission?

Well, on the morning of the fateful 26th, Ferrer betook himself to Barcelona, and Moreno met him, as arranged, at the Estación de Francia. Here it was that the two streams, of private and of public events, definitely flowed together. Moreno was, in fact, one of those most actively concerned in the organization of the strike, which, be it remembered, was by this time in active progress. He naturally told Ferrer what was afoot; and he strongly asserts that this was the first Ferrer had heard of it.

"Why did he say?" I asked.

"He said," Moreno replied, "that if it was a serious movement that was going to lead to anything, it had all his sympathy; but if it was to be a mere flash in the pan, he regretted it."

On parting from Moreno, Ferrer, according to his own account (confirmed by his employees and by independent witnesses), proceeded to his publishing office in the Calle Cortes. He had not been long there when a band of women appeared, demanding that the office should be closed. He at once agreed, and only a side door was left open. Then he went out to procure samples of paper for his projected edition of Kropotkin's *Great Revolution*, after having instructed his secretary, Cristóbal Litrán, to arrange with an engraver to meet him at the office at four in the afternoon, with reference to the illustrations for the same work. He lunched alone at the Maison Dorée, a well-known restaurant in the Plaza de Cataluña. At four he kept the appointment with the engraver at his office, and asked the office messenger, a youth named Meseguer, to carry to the station for him a cardboard box "containing a dress for his wife." This the young man did, preceding Ferrer to the station; but when Ferrer arrived, in time for the six o'clock train, behold! he found a notice stating that the line was cut and no trains running. Meseguer, seeing that he was much put about by this, offered to walk to Mongat and tell his family that all was well with him. He at first demurred, saying that it was too far to walk; but the lad insisted, and Ferrer at last accepted his offer. Then he went and dined at the Hotel Internacional on the Ramblas, spent the evening with friends at a café, and at last, soon after midnight, set forth to walk home, arriving at Mas Germinal at about five in the morning.

This account of Ferrer's day is mainly founded on his own deposition. His statement as to interviews with the paper-maker and engraver was confirmed by the evidence of the parties in question, taken by the Examining

Commandant. The evidence of Litrán and Meseguer was not before the court, they having been deported, as we shall presently see, with all Ferrer's family and staff; but they made formal declarations which they sent from their place of banishment to Ferrer's defender. I may mention that in Ferrer's own deposition, as read to the court, there are one or two inaccuracies, quite trifling, and of no significance either for or against him, which we can only put down to defective reporting on the part of the officials. For example, the interview with the engraver is represented as taking place in the morning instead of the afternoon.[1]

But here it must be said that, although Ferrer told nothing but the truth as to his employments on the 26th, he did not tell the whole truth. For instance, he said nothing of his meeting with Moreno; and we shall see later that there were several other incidents on which he was silent. The reader shall judge for himself as to whether these incidents in any way told against him. Assuming, in the meantime, that they did not, we may ask what was the reason for his silence? The answer is pretty obvious: he was extremely careful not to compromise any of his friends. His deposition was taken while he was in solitary confinement, absolutely ignorant as to who might or might not be in the hands of the police, and knowing only that a bitter campaign of vengeance was in full swing. Moreno, as a matter of fact, had escaped; but it would have been a clear disloyalty on Ferrer's part to allude to his share in the disturbances. Even people whom Ferrer knew to have taken no part in

[1] It happens that these particular errors do not matter; but similar errors, at other points in the process, might have the most disastrous effect. One of the witnesses declared to me: "What we said was no more like what we were reported as saying than this is like this"—pointing to a bottle of cognac and a piece of money which happened to be on the table before us.

the events might have been made to suffer for the mere fact of his naming them. He did not even give the name of the messenger who carried the dress-box to the station for him.

At Mas Germinal—according to Ferrer's account and that of his family—he remained throughout Tuesday the 27th. Whether this be true or not is a crucial point in the case, which we shall have to discuss in due time. On Wednesday the 28th, at about eleven in the morning, all parties agree that he went (as was his custom every Wednesday and Saturday) to a barber's shop in the neighbouring village of Masnou, to be shaved. Thence he proceeded, a distance of some two miles, to the village of Premiá de Mar, where he remained about a quarter of an hour; and then he returned to Mas Germinal, having been absent, in all, between two and three hours. There is no dispute as to these bare facts; but the question of what he said to persons whom he met at Masnou and Premiá is another—or rather *the* other—crucial point in the case.

On Thursday the 29th one of the household at Mas Germinal returned from Alella in great excitement, reporting that she had heard a young woman declare that she had, with her own eyes, seen Ferrer at the head of a band of incendiaries burning a convent at Premiá—where, in fact, no convent had been burnt.

"I was informed of this," said Soledad Villafranca in an interview published in the Paris *Journal*, "and hastened to question the woman, who repeated to me what she had heard. I at once told Ferrer, who was quietly working in his office; but he, instead of sharing my alarm, smiled at it. This story of his being seen in the act of burning a convent seemed to amuse him greatly.

"'But it is nothing to laugh at!' I said to him. 'If

once these rumours reach Barcelona, you'll see they won't want any further excuse for arresting you.'

"'It's ridiculous!' he replied.

"'Listen!' I begged him at last. 'You see how all this is worrying me. The situation at Barcelona is growing worse, and your enemies may quite well profit by it to ruin you. Do as I ask you—go away for a time! When things are quiet again, you can come back.'

"Ferrer was very unwilling to take my advice. But I insisted so strongly that I succeeded in persuading him to absent himself for some days. . . .

"'If you receive no news of me,' he said as we parted, 'it will mean that all is going well. I cannot tell you where I am going, for I do not yet know.'

"And he left me—and I was never to see him again."

One must not, of course, assume that Mme. Villafranca was quite accurately reported; but if she was, the concluding phrases of her statement conveyed a somewhat inexact impression of the facts. It was not then, and is not now, safe to tell the whole truth as to the place and manner of Ferrer's concealment. I do not myself know it in detail; but I know enough to feel sure that his final parting from Mme. Villafranca did not take place on July 29. It will be noted that, though she certainly implies that it did, she does not actually say so. Ferrer's own narrative, in letters to Charles Malato[1] and William Heaford, substantially agrees with Mme. Villafranca's: which means, no doubt, that, in loyalty to those who actually stood by him, neither of them could tell the exact truth. The matter is quite unimportant; but for the benefit of future historians, I note that, at this point, the whole story has not yet been told.

[1] *Un Martyr des Prêtres*, p. 48.

The essential fact is that, for more than a fortnight, Ferrer's disappearance was so complete that he was generally believed to have escaped to France—a belief in which the authorities fully shared. His friends even encouraged the illusion by printing imaginary interviews with him in French and English papers. We may perhaps see reason for thinking that the success with which the belief in his escape was spread abroad proved, in the long run, a misfortune to him. Early in August his publishing office was visited and searched, and his secretary, Litrán, arrested, but set at liberty after a two hours' examination. At five in the morning, on either the 11th or 12th of the month,[1] a lieutenant of the Guardia Civil, with sixteen of his men, laid siege to Mas Germinal, while three police-officers, headed by one Salagaray, invaded the house, and spent twelve hours in ransacking it and all its dependencies, including the fowl-run, in search of incriminating documents. They found nothing of the slightest importance. "Before Ferrer left," says Mme. Villafranca, "he and I had been careful to make a great clearance of papers. Not that there was anything that could justly be called compromising; but we knew how the police would try to twist everything, not only to his disadvantage, but to that of his correspondents." The search-party, however, carried off a collection of three hundred letters from Ferrer to his brother José—a "find" that must have proved disappointing, as we hear no more about it.

[1] Ferrer himself says the 11th; but I have seen a letter from Soledad Villafranca, dated the 13th, in which she speaks of the search having occurred "yesterday."

XII

THE EXILES OF TERUEL

ON the 16th of August Ferrer ought to have transacted certain financial business with a bank in Barcelona, on pain of forfeiture of some valuable securities.[1] On that day Mme. Villafranca set forth from Mas Germinal to see his agent in the city, and ascertain whether the business could be completed without his signature. She found that it could not, and brought away with her the document to which his signature was required. She was shadowed all the time by a police-officer, who, however, was the most urbane of his tribe, excused himself for obeying disagreeable orders, and insisted on paying her tramway fare—a common act of courtesy in Spain. On the way back from Mongat station to Mas Germinal, Mme. Villafranca invited him to walk with her instead of following her, and he agreed with alacrity. When Mas Germinal was almost in sight, he parted from her with many apologies, and returned to Mongat.

Just at this point the road passed through a tunnel, in the shadow of which a man, unknown to Mme. Villafranca, was lingering. As she passed him he thrust a paper into her hand, saying, "Do not stop, but read this as you go."

[1] The account of the matter given by Sr. Crespo Azorin, the Civil Governor of Barcelona, is that Ferrer wanted to pledge for 90,000 pesetas a block of shares in the Fomento de Obras y Construcciones of the nominal value of 150,000 pesetas. See Brissa, *Revolución de Julio*, p. 218.

Mastering her amazement, she did so, and found it to be a note from Ferrer, written on a piece of brown paper, and running thus—

DEAR SOLEDAD,

Do me the favour of giving the policy to the person who hands you this. I will sign it and get it conveyed to the bank. Do not be distressed or uneasy. I will soon return. I do not tell you where I am in order to spare you embarrassments.

Sabes te quiere de veras tu FERRER.

Mme. Villafranca retraced her steps, and the unknown approached her. As they passed each other she handed him the document, while he whispered, "Ask no questions. Don't stop, don't stop." The back of the policeman could still be seen as he pursued his way down the long, straight road to Mongat.

Three days later, as José Ferrer was, as usual, selling his garden produce in the market-place at Barcelona, another (or the same) unknown man came up to him, handed him a packet, and disappeared, without giving him time to ask any questions. The packet contained the document, signed by his brother.

This story is related by a correspondent of *El Radical de Valencia*, who, on other matters, is fully, if not quite accurately, informed. He declares that he has held in his hands the letter above quoted. That the story is substantially true I do not doubt; but I suspect a certain intermixture of fiction. I have refrained from inquiring too closely into details, because, as I have already remarked, the whole truth about Ferrer's concealment must not as yet be published. It has obviously no bearing upon the question of his guilt or innocence.

What is true beyond question is that, on August 19, José Ferrer handed to the bank the document bearing his brother's signature. Evidently the authorities had instant notice of this fact, which proved that Ferrer was not far off. Their next move was made no later than the following day, and was a pretty sweeping one.

We have seen that on the third day of the riots, July 28, a royal order had "suspended the constitutional guarantees" in three Catalan provinces, thus placing the liberty of the subject entirely at the mercy of the bureaucracy. Therefore the new Governor of Barcelona was well within his rights when he ordered the instant deportation of Soledad Villafranca and her brother, José Ferrer with his wife and child, and the whole staff of Ferrer's publishing-house. A full account of this amazing episode was given me by Anselmo Lorenzo, Ferrer's chief translator, a very fine old man, whose story was constantly interrupted by painful paroxysms of chronic asthma. At the same time he handed me a written narrative, which appeared in *La Vie Ouvrière* for February, 1910, permitting me to make what use I required of it. I translate and condense the essential passages—

On the 20th of August, three weeks after the Barcelona outbreak, I received an order to present myself at a police-station, where I was required to answer a question.

Conducted by two policemen, I there found several persons who had received the same summons: Batllori, administrator of the publishing-house of the Escuela Moderna; Casasola, who had been one of the teachers in the school; José Ferrer, his wife Maria Fontcuberta, and his daughter Alba, three years of age; and Mme. Soledad Villafranca.

No question was put to us. We were simply notified that, by order of the Minister of the Interior, we were to

leave by the four o'clock train that afternoon for Alcañiz. No legal formality was gone through, except that to each of us was handed an official paper running as follows :—

GOVERNMENT OF THE PROVINCE OF BARCELONA.

In virtue of the powers conferred on me by Article 9 of the Law of Public Order, now in force by reason of the suspension of constitutional guarantees, I decree your banishment (*destierro*) and that of your family to a distance of more than 245 and less than 250 kilometres from the city of Barcelona. You are to be immediately conducted, under the surveillance of the public forces, to the limit of the radius of 245 kilometres. God preserve you many years!

CRESPO AZORIN.

Barcelona, August 19, 1909.

Without any preparation, without equipment or money, without being able to say good-bye to our families, or to let them know what had happened—and I in particular, affected with a distressing chronic infirmity—we were conducted to the station between files of the Guardia Civil, and despatched on our journey.

Next day we arrived at Alcañiz. We were lodged in a modest inn, where the Alcalde came to inform us that we had been placed under his authority, and to recommend to us the greatest prudence.

In the evening four new exiles arrived—MM. Litrán, Villafranca, Robles, and Meseguer. The next day I was joined by my wife, Francisca Concha, and my daughters Mariana and Flora.

Every one of these exiles was in a situation of torturing anxiety. Soledad left Ferrer in concealment, and with no means of communicating with his friends. José Ferrer, his wife and daughter, had had to close their house at Mongat, shutting out their young son who was away at the moment

of their arrest,[1] and leaving no one to attend to the cows and other animals; Robles knew that his wife, with a child of three months, had been exiled to Huesca, leaving two young boys on the streets; Villafranca was taken away from his wife, who was in the ninth month of pregnancy, and from a printing-office, recently started, and left without any one to look after it. The others—not to prolong these details—were in similar, or even worse, predicaments.

Many other exiles, deported to various places in the provinces of Huesca, Teruel, Castellón, and Valencia, suffered in the same way.

One would have thought that the Government proposed to persecute to the point of annihilation the families of those whom it had inscribed on its list of suspects. It placed us at the mercy of hunger, destitution, inclemency of climate, sickness, and, to crown all, fanaticism; but the result was just the contrary of what might have been expected. National and international solidarity came effectually to our aid; and the natural goodness of the Aragonese peasants, whose ignorance had perhaps been expected to lead to some sort of barbarous lynching, was converted into a tender pity, and even a first stirring of revolutionary thought.

At Alcañiz an attempt to organize a manifestation of hostility to the exiles was a complete failure; on the other hand, the liberal youth of the town gave us a serenade, in which the popular muse sang, to melodies inspired by the Aragonese *jota*, verses of comfort, fraternity, and hope.

I shall always recall with emotion the day when, almost fainting, and scarcely able to move another step, I entered the market-place, where, observing my condition, a kind-hearted market-woman led me to a seat, and offered me a bowl of bouillon, a cup of milk, a glass of wine. I sat down with my wife at my side; around us gathered a great circle of the inhabitants, questioning us as to the reasons of our exile and the events of Barcelona. Our simple

[1] He had gone to bathe, and the police refused to await his return.—W. A.

answers, bearing the stamp of truth, awoke the sympathy of our listeners: many women wept, many men clenched their fists.

"We are not criminals," I said to them, "we are exiled here because we were employed in the Escuela Moderna of Barcelona, which has been closed because it gave to children an education calculated to make of them free and instructed men and women, who will no longer accept the delusion and injustice of religious falsehood, capitalist exploitation, or political tyranny." These ideas being above the intellectual capacity of that audience, I tried to give the necessary explanations, ending in this fashion: "We are persecuted because we wish truth to shine resplendent in society, and the idea of good to inspire all social acts."

When I rose and bade them good-bye, I was the object of the most affectionate demonstrations from all present. All our companions, too, were received with similar manifestations, and especially Soledad, my daughters, and the little Alba.

Confronted by such a result, the magnates of the district, the rich and influential people, decided to get us away from Alcañiz; and, after some hesitation as to our new place of abode, they sent us to Teruel.

We had to make our way there, in charge of the inevitable Guardia Civil, not by the railway, which would have taken us in six hours, but in wretched jolting carts. We were forced to stop for the night at Montalván, and the whole journey took thirty-two hours.

Our stay at Teruel may be divided into two periods: the first, from our arrival until the date when the constitutional guarantees were re-established, except for the provinces of Barcelona and Gerona; the second, from that date until the constitution was restored throughout all Spain.

An idea of our situation during the former period may be gathered from the following protest which we addressed to a certain number of newspapers:—

"The undersigned, inhabitants of Barcelona, exiled to Alcañiz and then to Teruel, and reduced to an extremity in which it is impossible to subsist, claim their right to live—a right which cannot be suppressed by the suspension of the constitutional guarantees or by the Law of Public Order.

"We live in a house which is watched day and night by policemen and Guardias Civiles; we are not allowed to go out alone; . . . every tradesman who comes to us, and even the postman, must be accompanied by a police officer. In the street, opposite our house, a booth has been erected for the accommodation of our jailors. We can neither pay nor receive visits. Orders have been given that we must not bow to any one in the street, nor must any one bow to us. Our door is closed at seven in the evening, and from that time, as though the drawbridge of a fortress had been raised, no one may pass it.

"In this situation, we can neither work nor seek for work: we can earn absolutely nothing. Up to the present we have lived on certain supplies sent us by our families, at the cost of privation and wretchedness, and on some gifts from our friends. We have before our eyes the spectre of famine and abandonment.

"Our condition as exiles proclaims our innocence. There is no accusation against us. The prisoner is supplied with lodging and food, and is permitted to communicate with his friends; but for us there will soon be neither lodging, nor bread, nor the greeting of a friend, nor even the ordinary sympathy of humanity. . . .

"We make our protest to public opinion, through its organ, the press, in the confidence that it will fulfil its duty.

"Teruel, September, 1909.

"José Casasola, Cristóbal Litrán, Alfredo Meseguer, Anselmo Lorenzo, Francisca Concha, Mariana Lorenzo, Flora Lorenzo, José Villafranca, Mariano Batllori, José Robles."

The signatures of José Ferrer, Maria Fontcuberta, and

Soledad Villafranca are wanting, because they were at that moment in prison, where they passed eight days, without any reason being given either for their arrest or for their release.

Our correspondence was scandalously tampered with; even money sent to us in registered letters was abstracted. We had recourse to the kindness of a friend who posted our letters for us at Valencia or at Saragossa, and were thus able to re-establish some relations with the international solidarity.

After the partial restoration of the constitutional guarantees, the surveillance of the Guardia Civil was suppressed, but not that of the police. The booth of our jailors was demolished, in consequence of a protest which we published in the local press; and we were permitted to speak to some of the inhabitants and to receive some visits. . . .

At the time of Ferrer's trial, we made every possible effort to place our testimony before the court: we wrote letters to the judge, to the Defender, to the press, to influential personages, and made appeals to international solidarity: all in vain. The judicial crime, perfidiously planned, was accomplished. Ferrer, in dying, achieved a glorious place in history, and our colony of exiles remained plunged in desolation.

Our anguish, our sufferings, our pains of every sort, formed a terrible ordeal, which we were enabled to endure with dignity because we were sustained by an ideal, and felt ourselves bound together like a veritable family. The memory of these days of fraternity in persecution, and of grief for the tragic fate of our heroic friend, now presents itself to me clothed in a poetic melancholy. . . . It was sad and it was beautiful.

At last, with the fall of the Conservatives, and the formation of the Liberal ministry, we began to look forward to the end of our exile.[1] By arrangement with

[1] It lasted, in all, 87 days.—W. A.

the Committee of the Republican Club, we convoked the people of Teruel to a meeting, in order to make ourselves known to them, and expound our sentiments, our thoughts, and our ideal.

This meeting made a profound sensation at Teruel. The populace, living under the sway of a peaceable routine, lulled to sleep in their heavy quietude, had not the least suspicion of the revolt in which the world is rising up against dogma, authority, and property, immobilized in the stagnant waters of privilege.

We had distributed the parts in advance, so that each of the exiles could expound his own tendencies. . . . In my turn, after declaring myself an anarchist, I showed, in property, a perpetual usurpation. There is a universal property which, formed by the gifts of nature, and the observation, study, and work of the discoverers, thinkers, and labourers of the whole world, cannot be the exclusive property of any one, but belongs to all by natural right, although the laws say the contrary. These laws, daughters of the Roman Law, divide humanity into masters and servants, that is to say into persons and things—an anti-human and irrational division, which persists in our days in republics no less than in monarchies, and will persist until the workers, by means of a general revolutionary strike, break up states, suppress frontiers, and establish *acracy*, or in other words the absence of government.

We contrived to put these ideas in a form which placed them within the mental range of our audience; and the effect produced was surprising.

We had our revenge: the ideas which those in power had sought to annihilate in Barcelona, had been transported into Lower Aragon, there to take root. Our persecutors had helped on our propaganda.

This document speaks for itself. The facts set forth are fully corroborated by two others of the little company of exiles who are personally known to me, José Ferrer and

Soledad Villafranca. As for the opinions expressed, I have thought it worth while to quote them for the sake of the added light they throw upon the doctrines which prevailed in the Escuela Moderna. It is not my part to defend or extenuate these doctrines, or to discuss the due limits of social self-defence against a propaganda of disintegration. What I have to point out is that it was—nominally—not for his share in disseminating these ideas that Ferrer was shot, but for his active participation, as organizer and director, in the Barcelona riots. If he was, in fact, innocent of that crime, it is no defence for the action of the Spanish Government to declare that he was guilty of something else.

Am I wrong in thinking that what stands out from Anselmo Lorenzo's narrative is not so much the barbarism of the Government action, as its extraordinary unintelligence? The authorities seem to seize every opportunity of putting themselves in the wrong. They make martyrs by the most high-handed exercise of tyranny, and then allow the martyrs to advertise their martyrdom in the public press! They will not suffer the exiles to exchange a word or a bow with the local population; and lo! before we know where we are, the exiles are holding a public meeting and preaching anarchism! True, there had in the meantime been a change of government; but the new government was certainly no more friendly to anarchism than the old, and it is absurd to suppose that the local authorities could not, if they would, have put a stop to the "reunión." The whole episode is characteristic and luminous. It helps us not a little to understand the darker drama which was meanwhile being enacted in Barcelona. There was not, as I read the case, any clever villainy behind this affair of the deportation, but only an instinctive, blundering

barbarism, quite incapable of looking ahead and devising a rationally wicked policy. The immediate motive of the "banishment" was apparently to drive Ferrer from his concealment by cutting him off from communication with his friends; and afterwards it no doubt seemed extremely convenient to have every one who could give evidence in his favour safely removed to a distance of not less than 245 kilometres. But what a shallow view! As a matter of fact, nothing that the exiles had to say could have saved Ferrer, before such a court as the Council of War. Beyond speaking to his presence at Mas Germinal on one occasion when he was alleged to have been in Barcelona, they really had very little to tell; and their evidence could always have been set aside as manifestly interested and untrustworthy. In refusing them the right to be heard, the authorities were gratuitously, and to no purpose, placing a weapon in the hands of those who, as they must have known, were certain to impugn the justice of their proceedings. They wantonly overrode the most elementary principles of fair play, when they had nothing to gain and a great deal to lose by so doing. But this is not astuteness, not Macchiavellianism. It is only a sort of blindly malevolent blundering. We shall soon come to a still more flagrant instance of the same artlessness in cogging the dice—the same simple-minded ignoring of the most elementary principles, I will not say of justice, but of prudence—in the rewards distributed to Ferrer's captors.

Having thus happily disposed of the occupants of Mas Germinal, the authorities made several descents upon the house, in further search for incriminating documents. On one occasion, about August 27, ten policemen and gendarmes took possession of the farm-house for three days and two nights, broke open the floors and the walls, cut the

drain-pipes, emptied the cisterns, and left the place a wreck. As already remarked, the traces of this *diligencia* (that is the expressive Spanish term) were visible on every hand when I visited Mas Germinal ten months later. It is quite evident that, under such conditions, the requirement of the law that search shall always be conducted in the presence of representatives of the accused, or of responsible and impartial witnesses, could not possibly be fulfilled. The only occupant of the house was Mme. Villafranca's mother; and it can scarcely be conceived that she kept sleepless watch on her ten visitors for sixty hours. There is not the slightest reason to presume the genuineness of any document purporting to have been found on this occasion.

XIII

THE LEGEND GROWS

WE must now return to Barcelona, and trace the growth of the legend connecting Ferrer with the revolt. This task is greatly facilitated by the richly-documented chapter entitled "The Snowball" in Dr. Simarro's monumental work.

The rumour which sent Ferrer into hiding—that he had been seen leading an attack on a convent at Premiá—does not appear to have got into the newspapers. But it was not long before local gossip began to fasten on his name. The Conservative *Epoca* of Madrid published on August 31 a series of extracts from various letters received from Barcelona, one of the paragraphs running as follows: "It is believed that the sadly celebrated (*tristemente célebre*) Francisco Ferrer had passed a month in Barcelona with Soledad Villafranca, and had brought with him much money. It is added that money circulated in abundance in the Casa del Pueblo,[1] and junkettings took place on the strength of it." Appearing in Madrid on Tuesday the 3rd, this must have been written in Barcelona not later than Sunday the 1st, before the echoes of the revolt had quite died away. On Wednesday the 4th the same paper published a letter from its Barcelona correspondent, Don Pascual Zulueta, containing the following passage:

[1] A Lerrouxist-Republican café and place of recreation for workmen—a sort of small People's Palace.

"Some one arrived here with money—some suppose it to have been the sadly celebrated Ferrer, who certainly was in Barcelona—and (according to information which I believe to be trustworthy) on one single day, very shortly before the tumults, a cheque for 50,000 pesetas [£2000] was cashed at the local branch of the Crédit Lyonnais, the money being distributed that night at the Casa del Pueblo." These two paragraphs evidently represent one and the same rumour, proceeding from one and the same source. So far as Ferrer is concerned, it professes to be no more than pure conjecture. Its germ is probably to be found in the report that money was unusually plentiful at the Casa del Pueblo. As soon as that was believed, it was a very short step to the conjecture that the "millionaire anarchist" Ferrer had supplied the sinews of war. Even the germ of the story is probably a myth. It has never been proved that money was distributed at the Casa del Pueblo or anywhere else; and Don Angel Ossorio, as we have seen (p. 126) expressly declared that there was no sign of any "payment of insurgents."[1] But if money was distributed at all, it certainly was not by Ferrer. If he had drawn a large cheque just before the revolt, the prosecution could easily have proved it; but it made no attempt to do anything of the kind. It appeared at the trial that Ferrer's bank was not the Crédit Lyonnais but the Banco de España. Furthermore, Ferrer had been for some time at feud with the Lerrouxists, and was by no means in good odour at the Casa del Pueblo.[2]

[1] Sr. Garcia Cortés, secretary of the Spanish Socialist party, states that the Solidaridad Obrera wanted to send delegates to Madrid to arrange with the Socialist directorate for a general strike throughout Spain, but could not do so because there was no money to pay for their tickets. This does not look as though Ferrer or any one else had subsidised the movement.

[2] See pp. 135 and 205.

Presently, however, the rumour began to "concrete itself," as they say in Spain. The Barcelona correspondent of a Madrid Ultramontane paper, *El Siglo Futuro*, contributed to its issue of August 9 a number of paragraphs headed "Data for History"; and this was one of them: "During the week, Ferrer, the director of the Escuela Moderna, was seen several times in the streets, and once I saw him captaining a group in front of the Liceo [Theatre] on the Ramblas." This correspondent was a certain Colldefons,[1] whose evidence became the corner-stone of the case against Ferrer. We shall have to examine it in due time; for the present it is enough to say that this clerical journalist did not know Ferrer, "except from photographs," but "acquired the conviction that it must be he from hearing passers-by say so."

On the very day on which Sr. Colldefons's "data" appeared in Madrid, there arrived in Barcelona no less a personage than Don Javier Ugarte, Prosecutor of the Supreme Court, and Auditor-General of the Army, commissioned by Sr. Maura's Government, as he himself expressed it, "to investigate the history and philosophy of this criminal explosion; to appreciate the full gravity of the evil; and to inspire the certainty that it will be remedied." Sr. Ugarte is a noted clerical, and holds, among other offices, that of General Secretary of the Catholic Workmen's Associations. His first act was to announce through the press "that he would be pleased to receive whatever information might be offered him" as to the events of the Red Week. In other words, he made himself a general receptacle for all the gossip of the city. The first thing we hear is that "the Executive

[1] The name is sometimes spelt "Colldeforns" or "Colldefrons"; but I believe "Colldefons" is the correct form.

Commission of the Diocesan Junta, composed of 72 Catholic Associations, has placed its information at his service"; and the next is that he has had a consultation with the directorate of the Committee of Social Defence, a body notoriously composed of violent reactionaries, and strongly tinged with Carlism.

We shall presently return to Sr. Ugarte; for the moment, the Committee of Social Defence takes up the running. After its interview with the Prosecutor, it delegates four of its members to proceed to Madrid and impress upon the Government its views as to the necessity for drastic action. The quartette sets out on the 14th, and on the 18th the Catholic paper *El Universo* publishes an interview with one of them, the Pontifical Count of Santa Maria de Pomés. This "noble grandee," as he is described, lays the chief responsibility of the outbreak at the door of Sr. Lerroux, whom he declares to be possessed by the devil. But on being asked whether the Lerrouxists are solely responsible, he replies: "By no means. It was not for nothing that Ferrer, the most ill-omened (*funestísimo*) Ferrer, passed near Barcelona during the week previous to the first days of the impious revolution. When he opens his mouth, Freemasonry and international anarchism open their hand and their purse. The books of the Escuela Moderna could not but produce their deleterious fruits, and have produced them." Here we have evidently the official view of the Committee of Social Defence; and on what is it based? The Pontifical Count himself informs us, when he appears as a witness in the trial of Emiliano Iglesias and others accused of being "instigators, organizers, and directors" of the revolt, that "he can give no information beyond what popular rumour asserted." So that we have here simply a variant of the

legend reported by Sr. Zulueta, the worth of which we have already estimated.

Sr. Ugarte, as we have seen, arrived in Barcelona on the 9th, and proceeded to take counsel with two of the chief Catholic organizations of the place. Whom else he may have consulted we do not know; but he summoned a meeting of the "judicial authorities" of the district and "imposed on them his opinion" that the events of July constituted "a veritable military rebellion," and that cases arising out of them must therefore be tried by military law. The result of these consultations and discussions was very soon manifest; for on the 17th, only eight days after Sr. Ugarte's arrival, the following proclamation was issued by "Don Vicente Lliviana[1] y Fernandez, Commandant, Examining Magistrate of the Zone of recruitment and reserve of Barcelona, number 27":—

Has absented himself from the district of Mongat, in this province, where he was residing at his property Mas Germinal, Francisco Ferrer Guardia, 50 years of age, founder of the Escuela Moderna which used to be carried on in this city, and whose other personal circumstances are unknown, accused in relation to the cause which, by order of the judicial authority of the region, I am at present preparing against the instigators, organizers, and directors of the breaches of public order which took place in this capital between the 25th and 31st of last July.

In virtue of the jurisdiction conceded to me by the Code of Military Justice, I hereby cite, call and summon the said Ferrer Guardia to present himself within twenty days counting from this date, before this court, situated in the Parque de Artilleria, that his answer to the charges

[1] The name is sometimes given as Llivina. I follow the *Proces*. The expression rendered as "Examining Magistrate" is "Juez instructor" or *Juge d'Instruction*.

may be heard; on pain of being declared rebel if he does not appear within the stated term, and incurring whatever pains and penalties the law provides.

Ferrer asserted that when he saw this summons in the newspapers, he thought of obeying it, but was persuaded not to do so. It will be noted that this was before the banishment of his family to Teruel.

Having finished his historical and philosophical researches in Barcelona, Don Javier Ugarte returned to Madrid, and hastened to pay his respects to the King. On leaving the palace, he was beset by interviewers, demanding his impressions of things in Barcelona. Almost identical interviews appeared in several of the papers. In the *Epoca* (Conservative) of August 28, the point on which Sr. Ugarte chiefly insists is that the ordinary or civil law has nothing to say in this matter, which must inevitably be handled by the military tribunals. Then he adds: "One of the initiators, and a director of groups, was Ferrer, who in the days of the movement was in Barcelona, and afterwards at Mongat, where he has a property, and from the latter point he irradiated the movement, disappearing soon afterwards." In the *Imparcial*, the Prosecutor is represented as stating that more than 1000 prosecutions are pending in Barcelona, and in the rest of the province at least as many more. Then the reporter proceeds: "Sr. Ugarte holds the proof that the organizer and soul of the sedition was Ferrer. Many persons saw him captaining seditious groups, not only in Barcelona first, but afterwards in other places, such as Mataró." This reporter also uses the phrase, evidently Ugarte's own, as to Ferrer "irradiating" the movement through the district. In another paper, the *Liberal*, a new detail is added: "The principal fomenter of the movement

was Ferrer. During the critical period he captained the groups in Barcelona; afterwards he repaired to Mongat, where he has a property, and thence irradiated the movement to various surrounding villages. He has at present disappeared, having taking refuge abroad."

The reader must at once be struck by the fact that the main point in Sr. Ugarte's mind is evidently the Colldefons statement that Ferrer was seen "captaining a group" on the Ramblas; but this single allegation of a single incident has been multiplied, and he is now represented as "directing groups," "captaining the groups," and seen to do so by "many persons," not only in Barcelona but at Mataró, where he never was at all. Further, we must note that Sr. Ugarte has clearly been informed of some at least of the evidence as to Ferrer's doings at Masnou and Premiá, which we shall find the prosecution representing as most damnatory. On its value nothing need be said at present; but I must draw the reader's attention to one apparently trifling point. The statement in *El Liberal* that Ferrer has taken refuge abroad, may have been added as a matter of common knowledge, by the reporter; but at all events Sr. Ugarte evidently said nothing to the contrary. He was careful not to let out, what he must have known for a full week, that Ferrer was now believed to be in hiding near Barcelona. It was clearly the policy of the authorities to keep their information dark, and encourage the belief that he had escaped. We shall find reason to think (p. 219) that this policy had important consequences which may or may not have been foreseen and desired.

That the prosecution of Ferrer was initiated by Sr. Ugarte, after his consultations with the Diocesan Junta and the Committee of Social Defence, can scarcely be

doubted. It is sometimes said that the Prosecutor of the Supreme Court was cited as a witness; but this is not literally true. It was not till Ferrer had been tried and sentenced that the Auditor-General of the 4th Region, in his report to the Captain-General recommending the ratification of the sentence, averred that Ferrer's leadership of the rebellion had been proved by the testimony of fifteen witnesses, "and by the declaration of the most excellent Prosecutor of the Supreme Court, which reflects not only his personal opinion, always most valid (*siempre valiosísima*), but that of numerous representatives of the most important elements in Barcelona, who came forward to expound their impressions before that high functionary, who, representing the Government, remained for a month [in reality seventeen days] in Barcelona, studying the revolutionary movement in Catalonia." This candid statement sums up the facts very accurately. It was the "personal opinion, *siempre valiosísima*," of Sr. Ugarte, and the "impressions of important elements" in Barcelona, that hurried Ferrer to his doom. Who the important elements were, we now know pretty well.

The interviews with Ugarte appeared in the Madrid papers of August 28. In his letter to Mr. Heaford from the Carcel Celular, Ferrer says: "I suffered much on reading in the papers the accusations brought against me, without being able to reply or daring to present myself. At last I could stand it no longer when, about the 29th or 30th of August, I read that Ugarte, the Prosecutor of the Supreme Court, had declared, as a consequence of his inquiries in Barcelona, that I, Ferrer, was the director of the revolutionary movement. Upon that I made up my mind to present myself to the magistrate who had summoned me, and I quitted my hiding

place." This he did on the night of August 31, intending to walk about seven miles to a station on the inland railway line to Barcelona. On the coast line he was well known, on the inland line unknown; so that, by choosing the latter route, he thought he had a better chance of reaching Barcelona unrecognized, and presenting himself, of his own free will, to Don Vicente Lliviana.

Can we accept Ferrer's own account of these incidents, and believe that he intended to give himself up? That must depend entirely on our view of his character. In favour of his statement we have the fact that he certainly expressed this intention to the friends who had harboured him, and whom he had no motive in deceiving. We may also remember that when he was "wanted" after the Morral outrage, he voluntarily presented himself to the police. Against this we have to put the undeniable fact that the inland line "on which he was not known" would have carried him to France as readily as to Barcelona. But, knowing that the hue and cry was out after him, would he be likely to take the risk of attempting to cross the frontier? And that, moreover, with absolutely no baggage, a circumstance extremely apt to attract attention? On the whole, the weight of probability seems to be in favour of his statement; but the matter is not susceptible of proof.





XIV

CAPTURE AND IMPRISONMENT

IT must have been getting on towards midnight on August 31 when Ferrer, attired in a light summer suit and a straw hat, set out from—wherever he was—to walk to the nearest station on the inland line. His baggage consisted of a hand camera and an umbrella. He cannot have gone more than two miles when, in passing through his native village of Alella, he was accosted by the *sereno*, or night-watchman. He proceeded on his way, telling the man that he did not require his company; but he could not shake him off. Presently, at a point just outside the village, and close to Ferrer's birthplace, they came upon four of the *somaten* of the district. The *somaten* Ferrer himself describes as "a body of citizens armed to defend their property against thieves; but at need they place themselves at the service of reactionary governments." Perhaps they may most shortly be described as a village vigilance-committee. These men stopped Ferrer, and, not at first recognizing him, demanded his papers. He produced a document which seems to have had some relation to an Esperanto Congress soon to be held in Barcelona; at any rate he made some mention of this Congress. They replied that the "papers" they required were some sort of passport or identification-sheet; and this he could not produce. It is generally reported that he then begged them to let him go on his

way, as he was engaged in an amorous adventure and was pursued by an irate husband. It is, of course, possible that he said something of the kind; but I very much doubt it, and will give my reasons.

Ferrer's own statement in his deposition is that he said he could not tell the men where he came from "because it was a delicate matter" (*por ser un asunto delicado*)—meaning, obviously, that it was a point of honour not to give a full account of himself, and implying an appeal to them not to put constraint on a man in a difficult position. The remark was a very natural one; and I think there is good reason to believe that from these words, interpreted in vulgar minds, the legend of the amorous adventure has grown. We can actually watch its growth. In the first report of the capture that appeared in the newspapers (see, for instance, *El Imparcial*, September 2, 1909), the "official version" of the incident runs thus: "A *sereno* asked him where he was going, and Ferrer replied: 'An affair of petticoats' (*Cuestión de faldas*)." The step from *asunto delicado* to *cuestión de faldas* is, to some minds, very short and easy; and, in later accounts, the *cuestión de faldas* takes on much more detailed, and mutually inconsistent, shapes. One narrative states that he "begged them to let him go, saying that it was imperatively necessary that he should reach Barcelona, because if he did not the honour of a lady residing in Alella would be compromised." The most developed form is given to the legend by Don Mariano Bernadas (of whom we shall presently hear more), who stated in his deposition that Ferrer "lowering his voice, said that he had had an amorous rendezvous with a married woman, and that, the husband having learnt of it, he must get out of the way." The point is trifling, but all these later versions seem to me

clearly to be perversions of Ferrer's simple appeal to his captors not to press him for explanations. It is worth noting that, when Ferrer made his statement, he almost certainly had no knowledge of the form which had been given to the incident by Bernadas and others.

All accounts agree in showing that a considerable time elapsed before Ferrer was recognized. Apparently he was not a familiar figure in his native village; and he is said, moreover, to have shaved off the moustache and chin-beard which he usually wore.[1] Nevertheless, if the villagers had been on the look-out for Ferrer, hoping and expecting to capture him, the idea that this must be he would certainly have occurred to them at once. We have here, then, another proof that the authorities had kept carefully secret the fact, known to them twelve days earlier, that he had not escaped to France.

At last the before-mentioned Bernadas looked him in the face and said in Catalan, "Que tanta comedia! Tu ets el Quico de Cal Boter"—"Why all this pretence! You are the Quico [diminutive of Francisco] of the Casa Boter"—the name of Ferrer's birthplace.

[1] There is, however, something far from clear in the story of his having tried to disguise himself by shaving. In Brissa's *Revolución de Julio*, on p. 264, there appears a photograph of a clean-shaven man, purporting to be that of Ferrer "taken the day after his imprisonment." But it is, to me, quite impossible to recognize his features; and, moreover, the man, whoever he may be, has abundant hair, whereas Ferrer was nearly bald. The hair has rather the appearance of a wig; but it is nowhere stated that Ferrer resorted to this means of disguise. On the other hand, Lesueur and Normandy in *Ferrer, l'Homme et son Œuvre* (facing p. 33), publish an evidently genuine snapshot photograph of "Ferrer's arrival at the Model Prison" in which we see him, handcuffed, jumping off the prison van; and, though his head is somewhat bent, we can clearly discern his usual moustache and beard. As Ferrer never left the prison until he was conveyed to Montjuich, this snapshot must date from September 1. In the photograph of the trial, the moustache and beard are unmistakable; but it is explained that they had grown again in the five weeks' interval.

Of the events which followed we have Ferrer's own story in letters to his friends. Perhaps the best and fullest account is that which he sent to Mr. Heaford. I have already made more than one quotation from this invaluable letter; and I now let him take up the tale of what followed his recognition.

Of the four men, two were very hostile, especially one who had played with me as a boy, named Bernadas, and nicknamed Miralta. He tied my arms very tightly, and threatened several times to kill me, pointing his carbine at me, and saying that he had heard it said everywhere, and had read in the papers, that I was the wickedest man in the world. It was now one in the morning, and they took me to the Town Hall, accompanied by others of the *somaten* who joined us, all known to me, as being of the same village. We remained at the Town Hall until seven, and during that time we discussed politics, religion, and sociology, for among them was a young man of fair education. I felt at my ease after five tongue-tied weeks, during which I dared not talk out loud, or cough, or sometimes even breathe, for fear of being discovered. At one time I felt thirsty, and asked for some cold water to drink. They brought me a splendid dripping water-jar, a pleasure to see. I asked Bernadas to untie me in order that I might drink. He refused. I pointed out to him that I was not armed, and that there were more than a dozen of them with their carbines. He still refused, offering to hold the jar to my lips. That I, in my turn, refused, and he made them carry off the jar without my being able to touch it! Then I resumed the conversation, commenting on this inquisitorial incident, and explaining to them that when men were once imbued with the ideas propagated by the Escuela Moderna, there would be never a Bernadas in the world, *pas même pour médecine.*

Arrived at Barcelona about half-past eight, I was taken

to the presence of the Governor,[1] Crespo Azorin, who received me politely, and confined himself to asking me where I had been concealed. I replied that he must excuse me if my sense of obligation to the family which had treated me so well prevented me from betraying them. He replied that though he understood my delicacy, he could not excuse the family for its failure of respect for the law. I rejoined that in my humble opinion this family had not failed in respect for the law, as it was sure of my innocence. Then he made me a little speech in a very lofty style, maintaining that the reading of the works published by the Escuela Moderna might well be one of the principle sources of the troubles. Therefore I was guilty!

After his brief interview with the Governor, he was passed on to the central police station, and there stripped and subjected to the Bertillon system of measurements, etc. This done, not a single stitch of his clothing was returned to him, but he was rigged out from head to foot in "reach-me-down" garments ridiculously too small for him, with what he calls an "apache" cap. The underlings among his jailors were themselves surprised at this unexampled proceeding. He remonstrated against it in vain, and made public protest at his trial. Can we believe that the authorities deliberately sought to prejudice him by making him look grotesque? It is almost incredible; and yet, what else can have been their motive? It was not economy, for the manœuvre cost the Treasury (by Ferrer's own estimate) at least fourteen francs. He went to his death in his four teen-franc suit.

Arrived at the Carcel Celular, he was not only "incom-

[1] He has before stated that he asked his captors to take him to the examining commandant (Don Vicente Lliviana), but that they insisted on conveying him to the Civil Governor.

municated" (that is to say, placed in secret confinement), but he was assigned a cell—he, an untried man—of the class devoted to *riguroso castigo*, or rigorous punishment. This is his description of it, in the same letter to Heaford—

They put me in a repugnant cell, fetid, cold, damp, without air or light, in the underground region of the prison, where so rotten an atmosphere prevails that in descending to it you can't help turning your head away. In this cell (8 feet by 13) there is a plank bed, a palliasse, a counterpane, and a sheet—all filthy, disgusting. A pan for refuse and a jar of drinking-water. Impossible to sleep on account of the cold and the little animals of all sorts which swarmed, and which, on the first night, attacked me at every point. I took the precaution afterwards of leaving crumbs of bread in the four corners, so that the beetles left me in peace; not so the other beasts. For food, soup twice a day, always the same, made with chick-peas (*garbanzos*) in the morning, and with haricots in the evening, served in such darkness that it was very difficult to pick out the lumps of rancid bacon which almost made me sick. It needed a good stomach like mine to resist this, and a strong will not to be cast down. I asked for a basin and water so as to be able to wash at least my hands and face. My request was granted after six days. I asked for soap, but as the police had kept all my money I could not get any, until I protested so much that at last the Governor of the prison, Don Benito Nieves, a charming person, gave me a piece of his own, and then made me a present of a cake. To combat the cold and the tedium of not being able to read, or talk, or see any one, I paced up and down my cell, like a wild animal, until I perspired. When I saw that my incommunication was not soon to end, I asked, on September 11, for a change of linen (I had been in prison since the 1st), for I could not endure to live in such filth, upon me and around me. They gave me clean linen on the 23rd!

My incommunication was suspended on October 1,[1] and the magistrate said that I might make what use I pleased of the money which had been found in my possession. I at once asked for letter-paper and for newspapers, and I wrote out a telegram for Soledad, the cost of which the Administrator undertook to advance until the money was received from the magistrate. Yesterday the telegram was returned to me—it had been sent, by a mistake on the part of the Director, to Huesca—and I was told that I could not have it retransmitted to Teruel (where the magistrate tells me that my family now is) because he (the magistrate) has not deposited any money for me. Thus I cannot have any newspapers either, can learn nothing of what is going on. Yesterday was an accursed day! Not to be able to send so much as a single word to Soledad and to my friends! I won't tell you of the new discomforts of my new abode, in which, though it is true I have a little sun and sufficient light, I have also so many little companions that I have begun a war of extermination in which I doubt whether I shall be victorious.

He then goes on to speak briefly of the different examinations he has undergone—a matter with which we shall have to deal at length in the following chapter. The letter ends—

The rest another time, my dear friends. I am tired now, and my little friends of the cell are beginning to take unfair advantage of the peace in which I have left them for so long. They are even coming to see what I am doing on this paper. . . . I forgot to tell you that they refused to give me back a tooth-brush which I had with me, two pocket handkerchiefs, or, in fact, anything belonging to me.

Ferrer, said *El Universo*, had been handed over to the

[1] The letter is dated October 3.

austera severidad of the military tribunals. Was it part of that austere severity to prevent him from brushing his teeth?

This letter is important in more ways than one. It not only shows the quiet heroism of the man, and the spirit of rancour in which he was treated: it also gives us a glimpse of a Spanish prison which is not without significance when we find that the most important—almost the only important—witnesses for the prosecution were arrested for complicity in the disturbances, and were released on giving their evidence. To put a man in such a cell as this is almost equivalent to the application of *peine forte et dure*; and what is the worth of evidence so extracted?

XV

PROCEDURE AND PRELIMINARIES

FERRER being captured, how was he to be tried? On that everything depended.

A leading Catholic paper, *El Universo*, in an article published immediately before the capture, manifested grave apprehensions lest he should once more, as in the Madrid trial of 1907, slip through the fingers of a civil tribunal. These civil tribunals, it remarked, were in the habit of "insisting on clear, precise, and decisive proofs of guilt"; and it pointed out the superior convenience of military and naval Courts of Honour, which "do not require to subject themselves to concrete proofs, but are satisfied with a moral conviction, formed in the conscience of those who compose them."

The alarm of *El Universo* was groundless. It had apparently forgotten the *Ley de Jurisdicciones*—Law of Jurisdictions—passed in 1905 by Moret's Liberal ministry, with the aid and countenance of the Conservatives. Under this remarkable act, every offence which concerns the Army, the Fatherland, or the Flag, is to be tried by a military court and under military law! That is to say, one of the parties in the case is to sit on the Bench and try the other party. If I am rightly informed, the law was specially designed to enable the army to chastise promptly and effectually the audacity

of certain journalists who had attacked it. But it was very easy to make the riots a "military rebellion" and to bring everything connected with them under the Law of Jurisdictions. Nor can it be said that this was a straining of the law. As the whole trouble had grown out of the system of conscription and the calling out of the reservists, it certainly was a matter "concerning the Army." There was no illegality, then, in handing Ferrer over to military justice. It was not even a measure of exception due to the State of Siege. That had been discontinued on August 17.

What is the procedure of a Spanish Military Tribunal? The rules which govern it are set forth (not quite fully or frankly, however) at the end of the official version of the Ferrer trial.[1]

The "Juicio Ordinario" is called "ordinary" in contradistinction to the "Juicio Sumarísimo," or drumhead court-martial, which disposes of you with the least possible ceremony. The "Ordinary Process" falls into three parts, the "Sumario," "Plenario," and "Vista Pública." For the first two terms I do not think there is any English equivalent. The "Sumario" is practically what the French call the *instruction*—the private examination of the prisoner and of witnesses by the *juge d'instruction*, or examining magistrate—of course, in this case, a soldier. The first rule of the "Sumario" has certainly much to recommend it—

Before proceedings can be directed against a person, there must appear some charges against him (Article 421).

The only other rule that calls for special notice is this: "Domiciliary searches must be conducted in the presence of those interested, or of a member of the family, or of two

[1] See Appendix, p. 322.

witnesses (Article 511)." We have seen how this rule was observed at Mas Germinal.

When we come to the second stage of the process, the first rule that meets us is as follows: "The Plenario is public (Article 540)." If this means anything, it means that there is a public session of some sort; and we find that at the Plenario of the case against Emiliano Iglesias and others (of which more anon) an audience must have been present, for a statement attributed to one of the witnesses called forth "Great laughter among the public."[1] But in the case of Ferrer I cannot find that any public session was ever held, before the final "Vista Pública." The second rule is: "The accused himself names his defender (Article 453)"; but it is not stated that he is required to choose his defender from a list of officers which is handed to him. Note, too, that during the Sumario, while the evidence is being taken, he has no defender or adviser of any sort. In the Plenario he may demand, and the Examining Commandant may, at his discretion, permit, a "ratification of witnesses," which I take to imply a re-examination; but there seems to have been nothing of the sort in Ferrer's case. The Defender, it would appear, never saw a single witness, much less had any opportunity for cross-examination. Ferrer himself, during the period of the Sumario, was "confronted" with four of the witnesses—four out of fifty or sixty—but the proceedings were confined to affirmation on their part and denial on his. Of anything like cross-examination there is no trace. Ferrer had very likely no skill in that peculiar art; and had he possessed skill there is nothing to show that he would have been allowed to exercise it.[2]

[1] Simarro, *El Proceso Ferrer*, vol. i. p. 312.

[2] Yet Mr. Belloc (*Dublin Review*, April, 1910) affirms that Ferrer had

We come now to the "Vista Pública," the public trial. The court is a "Council of War," composed of a colonel (the President) and six captains. Defenders of the Council of War make a great point of the fact that these officers are "designated in an automatic manner," which means, no doubt, that they serve in some sort of rotation. This may be a safeguard against any "packing" of the Court, but it also shows that no special intelligence or fitness for judicial duties is demanded of its members. The Council is assisted by an Assessor—an officer who is supposed to possess some special familiarity with military law.

At the opening of the "Vista Pública," the first proceeding is to read the report, or "dossier," of the Examining Commandant (*juge d'instruction*); then comes

> The examination by the Fiscal, Assessor, Defenders, President and members of the Council, of witnesses and experts, and the recognition of objects and documents; the accusation and the defence are read . . . and lastly the accused speaks, to set forth whatever he may consider opportune.

So runs the order of procedure, as officially stated; and in practice there was only one detail omitted—the examination of witnesses. With this trifling exception, all went according to rule. The "dossier" of evidence was read; the Fiscal (Prosecutor) read his commentary on the evidence, and demanded the conviction of the accused; the

"ample opportunity of cross-examining, and it was precisely in cross-examination that he broke down and injured his case." Even if we admit (which is difficult) that the English term "cross-examination" can fairly be applied to the proceedings at these confrontations, the opportunity of cross-examining four witnesses out of fifty is something less than "ample." I willingly grant, however, that very few of these witnesses had anything to say that was worth cross-examining upon.

Defender read his reply, which he had been allowed only twenty-four hours (the time prescribed by law) to prepare[1]; and finally the accused said a few words. Then (strictly according to rule) the Court met in secret session, and the Assessor read his report, which was in fact another speech for the prosecution, uncontrolled by the presence of the accused or his Defender. Then the Court (still in secret) passed its sentence, which was forwarded for approval to the Captain-General of Catalonia, accompanied by the report of an officer named the Auditor-General—a third indictment in which all sorts of fresh matter is introduced. It is these three indictments (translated in the Appendix) that the Government publishes under the title of *Ordinary Process . . . against Francisco Ferrer*. The speech for the defence is tactfully omitted.

Having noted the structure of the machine in which Ferrer was caught, let us now try to follow its workings. Up to the opening of the actual trial ("Vista Pûblica"), the letters of Ferrer himself are our chief authority; but no attempt has been made to contradict his statements.

In the evening of the day of his arrest (September 1) he underwent his first examination, at the hands of Commandant Vicente Lliviana. This officer, says Ferrer in his letter to Heaford, "seemed to me a very honourable and unprejudiced man, desirous of knowing the truth and nothing but the truth. I never saw him again." Lliviana, as we have seen, was the commandant told off to get up the case against the "instigators, organizers, and directors"

[1] This must mean that the actual manuscript of the Prosecutor was handed to the Defender only twenty-four hours before the trial. We find from Ferrer's letter to Heaford of October 3 that on that date (nearly a week before the trial) he and the Defender went over together the "dossier" of the Examining Commandant. Whether the Defender was allowed free access to it in the interval does not appear.

of the riot. It was he who had, by advertisement, summoned Ferrer to appear before him. Up to this point the prosecution of Ferrer had been conjoined with four other prosecutions — against Emiliano Iglesias, Luis Zurdo, Trinidad Alted, and Juana Ardiaca—under the care of Lliviana. But now Ferrer's case was disjoined from the group, and handed over to another examining commandant, Valerio Raso by name. What was the reason of this transference? A comparison of dates may help us to divine it. The four cases left under Lliviana's charge were not brought to trial until March, 1910, when passion had fairly worked itself out. Three of the accused were then acquitted, and the fourth sentenced to imprisonment for life. Ferrer, on the other hand, was brought to trial within 39 days of his arrest, and executed four days later. Yet, with all this expedition, he was scarcely out of the way before the date fixed for the re-assembling of the Cortes. He was shot on October 13; the Chambers met on October 15. If there be no significance in this juxtaposition of dates, Sr. Maura's Government was the victim of a singularly unfortunate coincidence.

Ferrer's first meeting with Valerio Raso took place on Monday, September 6, when the commandant had him microscopically scrutinized from head to foot by two doctors, to see whether they could find any scar, scratch, or burn on his person. "If I had had the slightest accident in my own home," he says, writing to Charles Malato, "nothing would have availed; they would have shot me without delay." I was at first disposed to think that Ferrer was mistaken as to the hopes and intentions of the prosecution at this juncture; but on putting two and two together, and looking closely into dates, I think the probability is that he was right, and that if any wound or

burn had been found upon him, he would have been submitted, not to the "Juicio Ordinario," but to the "Juicio Sumarísimo," and despatched without further ceremony. It is quite certain that the Government at first expected to be quit of him very promptly. The *Epoca* of Sunday, September 5, and other Madrid papers, announced that "about the middle of the week" the Council of War would assemble to try Ferrer. At the same time telegrams to foreign papers (all under censorship, which let pass only official news) stated that the prosecution held "conclusive proofs" against Ferrer, which would shortly be submitted to a court of summary jurisdiction. Turning, now, to Ferrer's second letter from prison to William Heaford (dated October 5), we find the following paragraph—

I forgot to tell you that in the "dossier" there is a grave denunciation. It proceeds from a personage who saw me fall, wounded, at the head of a group of insurgents busy burning a convent. They brought him to the prison, and he declared that he recognized me among a row of prisoners.[1] But he had given the name and address of another person who also purported to have seen me, and this reference the police found to be false. Besides, there is a declaration by two doctors, affirming that I have no trace upon me of any wound either old or new.

The evidence of this "personage" has entirely disappeared from the records. It has softly and suddenly vanished away. We do not even know his name. Is it unfair to conclude that when, on the 5th, the Government foretold the "most summary" end of the case (or at all

[1] This incident, by the way, shows the value of identification in a "circle of prisoners," of which we shall hear more in the sequel.

events permitted it to be foretold in papers and telegrams which were all under censorship), they were building upon the "conclusive proof" afforded by this man's testimony, which, had it been confirmed by the presence of a scar on the prisoner's body, would have enabled them to treat him as a rebel taken red-handed, and to dispense with all further evidence? Unfortunately, when Ferrer's body was scrutinized on the 6th, no cicatrice appeared upon it; and the alleged second witness was not forthcoming. Perhaps, if only the scar had been found, Providence would have produced the witness. As matters stood, the papers in a day or two announced that Ferrer's trial would not take place so soon as was expected, and that it would be "ordinary," not "most summary."

On the 9th, three days after the medical examination, Valerio Raso administered his first interrogatory; and on the 19th his second and last. The date of the "confrontations" we do not know. On October 1, Raso reappeared, to announce to Ferrer that his "dossier" was completed, that his "incommunication" was relaxed, and that he would be tried "one of these days." Ferrer protested that he had still many declarations to make; the commandant replied that nothing more could be admitted, "military law not being like civil law." He also presented a list of officers from among whom Ferrer must choose his Defender. Knowing none of them, he selected Captain Francisco Galcerán Ferrer,[1] on account of the chance resemblance of names. Captain Galcerán has confessed that he accepted the charge very unwillingly, being strongly prepossessed against Ferrer on account

[1] Ferrer noticed, not only that two of Galcerán's names were the same as his own, but that all the initials were the same: in the one case, F. F. G., in the other case, F. G. F.

of his anti-militarism; but an hour's talk with the prisoner made him his undaunted champion.

Meanwhile Soledad Villafranca was eating her heart out at Teruel, in total ignorance of what was passing at Barcelona. She and her comrades of exile naturally expected, day after day, to be called upon for their evidence. This expectation was encouraged (unofficially, of course, and very likely in good faith) by their jailors. A member of the Palace police from Madrid, who had been specially told off to keep watch over Mme. Villafranca, bade her wait patiently and the summons would come in due time. She and her comrades were not reassured on finding that some anarchist documents, said to have been discovered among Ferrer's papers, were going the round of the press, with the natural result of still further prejudicing the public mind against him. This is, indeed, one of the darkest features of the whole affair. The "Sumario," or collection of evidence, is by rule and custom absolutely private; yet here were two documents, on the face of them most compromising, allowed to leak out,[1] and passing from newspaper to newspaper. In one of the documents, moreover, as communicated to the press, a word of some importance was misquoted. When the document was cited by the Assessor (*Process*, p. 288), it appeared that one of the paragraphs ended with the phrase "Viva la anarquía!" But in the version sent to the newspapers the word "dinamita" was substituted for "anarquía." These slips of the pen are a little unfortunate when a human life is at stake.

Another straw which showed how the wind was

[1] "Allowed to leak out" is probably an inexact phrase. "Deliberately circulated" would state the case more accurately. A similar perfidy was employed or attempted before the Madrid trial of 1907. See p. 78.

blowing was the announcement on September 25 of the rewards accorded by the Government to the men who had arrested Ferrer. I translate from *El Imparcial* of that date—

THE ARREST OF FERRER—REWARDS.

The Government has allotted the following rewards:—

The Alcalde of Alella has been made a Commander of the Order of Isabella the Catholic.

To the two individuals of the *somaten* who declared in advance that they did not want any pecuniary recompense, but would accept the complete uniform and equipment of their corps, including a Mauser with a plate commemorating the date of the arrest of the Director of the Escuela Moderna of Barcelona, all this will be presented by the Minister of War, and moreover the title of Knight of Isabella the Catholic is awarded them.

And to the *sereno* who actually effected the arrest, and to other agents who helped him, are conceded medals of Isabella the Catholic, and 3000 pesetas [£120] in cash.

The Ministry of the Interior will pay the whole expenses of insignia, and the fees due on receipt of these decorations.

Am I wrong in considering this a quite amazing incident? Seven or eight villagers have arrested one solitary man, who made no resistance, being armed with nothing more formidable than a hand camera; and while that man is awaiting his trial, the Government goes out of its way to distribute lavish rewards among the heroic captors, and to bestow on them the benediction of Isabella the Catholic! Could any better means be imagined of announcing a confident foreknowledge of the prisoner's doom?

Weary at last of waiting for a call that never came,

the exiles of Teruel, on September 28, addressed a letter to the Examining Commandant, expressing their surprise at not having been summoned, and demanding to be heard. The letter was signed by Soledad Villafranca, José Ferrer, Alfredo Meseguer, Cristóbal Litrán, and Mariano Batllori. On September 30, Don Valerio Raso replied that on the previous day the case had been "elevated to plenario," and that consequently no more evidence could be taken. "I am much surprised," he added, "that, if you had anything to say, you should not have done so before, in the 28 days which had elapsed before you wrote." As no one seems to know in what consists the mysterious operation of "elevating" a case "to plenario," it is impossible to disprove Don Valerio's assertion. It may be said, however, that the "elevation" was not made known to Ferrer himself until October 1, and that, even after that, Mme. Villafranca's mother was called upon to give evidence. The rules of the "plenario," it is true, do not permit the appearance of fresh witnesses except in the case of "common offences" as distinguished from "military offences"; but they do not explain why, in dealing with military offences, the Court should deny itself a means of getting at the truth, which it is free to employ in other cases. At any rate, as the evidence of Ferrer's friends was rejected on this paltry plea of time, it was a little unkind of the Prosecutor to make it a point against him that there were no witnesses to speak in his favour (*Process* p. 276).

XVI

THE TRIAL IN OUTLINE

ON the morning of Saturday, October 9, the Council of War assembled at the Model Prison of Barcelona for the trial of Francisco Ferrer. The streets around the prison, and the courtyard of the prison itself, swarmed with police and Guardias Civiles. The public was admitted only by ticket, and care was no doubt taken that tickets should be distributed only to "right-thinking" persons. There were many soldiers among the audience. It would appear from photographs of the scene that no ladies were present.

The Examining Commandant, Don Valerio Raso Negrini, sat to the right of the long table provided for the Colonel and six Captains who formed the Court. He had before him a huge portfolio containing the records of the "sumario," running to 600 sheets, and a smaller portfolio containing an abstract of these documents. Beside him, at another small table, sat the Prosecutor, Don Jesús Marín Rafales. On the left of the judges sat the Defender, Captain Francisco Galcerán Ferrer; and the prisoner, on being led in by a file of soldiers, was assigned a seat beside his Defender. He bowed to the Court and to the public, and said a few words of excuse for appearing in the ridiculous ready-made suit before described; but when he tried to protest against the



conduct of the police in depriving him of his clothes, the President cut him short. It is recorded that his chin-beard and moustache, which he had shaved before his arrest, had now grown again; but, as before stated, I am by no means convinced that he ever had shaved completely. His cheeks he always shaved.

At this point I cannot do better than reproduce the outline of the trial telegraphed to the *Times* by its Barcelona correspondent. This is the only account in which it clearly appears that no witnesses were heard. In the accounts sent out by the various news-agencies, this point was—whether by accident or design—left obscure. In the first paragraph of the telegram I correct three misprints, which were pointed out to me by the correspondent himself.

Barcelona, October 9.

The trial of Sr. Ferrer began at 8 o'clock in the council chamber of the new prison, and lasted five hours. The Court consisted of a lieutenant-colonel as president, and six captains. Sr. Ferrer sat unfettered[1] by the side of Sr. Francisco Galcerán, his counsel. About 20 reporters and 250 of the general public were present.

The examining magistrate read the *procès verbal* giving the details of Sr. Ferrer's arrest and examination, the list of incriminating articles found in his possession, and the declarations of witnesses for both sides. This occupied two and a half hours, and was followed by the public with great interest.

The prosecutor summarized the evidence in the *procès verbal*, stating that 15 witnesses proved that Sr. Ferrer initiated the disturbances in Premiá, that others proved that he tried the same thing in Masnou, and that he was

[1] This appeared in the *Times* as "in fetters," a misprint which has unfortunately been widely reproduced.

seen at the head of armed groups in Barcelona, and concluded a well-reasoned and temperate speech by demanding in the name of the King, while all in Court stood, that Sr. Ferrer should be sentenced to death for the crime of rebellion, or, if the extreme penalty were not inflicted, to penal servitude for life with sequestration of his property to indemnify the losses occasioned by burning, pillage, and other destruction during the rebellion.

Sr. Ferrer's counsel, a captain of Engineers, made an eloquent speech, expressing the view that Sr. Ferrer was the victim of political animosity, and endeavouring to prove the weakness of evidence against him. He regretted that old charges had been raked up which bore no reference to the present case. The speech was distinguished by clearness and great independence.

Sr. Ferrer remained perfectly calm during the entire proceedings, showing by frequent movements of the head that he followed everything. Asked by the President if he had anything to say, he stated that if he were judged only by recent events he would be acquitted. It was unfair to be influenced by occurrences of last century. He concluded by saying that his only occupation of recent years had been in matters of education, instruction, and culture.

The President said that the council would consider their verdict in private. The Court was then cleared.

The sentence will not be published until approved of by the Captain-General and the Supreme Court of Madrid, possibly in the course of the week.[1] The entire proceedings were characterized by order and solemnity on the part of the Court and intense but subdued interest on the part of the public.

We do not possess anything like a full report of the

[1] As a matter of fact Ferrer was shot on the morning of the fourth day *after his trial. We may judge from this remark of the correspondent*—an almost life-long resident in Spain—how unexpected and unusual was the haste displayed.

contents of the Examining Commandant's portfolio, or even of the abstract which he read to the Court. But there can be no doubt that everything that could possibly tell against the prisoner was recapitulated and underlined in the "Fiscal accusation," which has been published in full (*Process*, pp. 257–285).

The Prosecutor, Don Jesús Marín Rafales, opened with a rhetorical description of the riots and outrages, quite in the style of that quoted from the *Correspondencia* (p. 136), and almost as exaggerated. Before saying a word to connect Ferrer with these events, he appealed to the professional and personal resentment of the judges, "all or almost all" of whom, he said, had taken part in the repression, and had been exposed to its dangers. He spoke of "the fire to which *you* were subjected from barricades and house-tops." He denounced the rioters as "drunk with blood," forgetting that nine-tenths of the blood shed was that of the populace, shot down by the police and the soldiers. In short, he neglected no means of awakening the passions of the soldier-judges, if perchance they had fallen asleep. At the same time, he explicitly declared—

> In this case we are not investigating the burning of a particular convent, nor the explosion at this or that given point, nor the cutting of this or that telegraph wire, nor the construction of this or that barricade, nor this or that overt act of war. No! we are following up the revolutionary movement in its inmost entrails; we are investigating the causes that gave it life, and seeking the agency *which prepared, impelled, and sustained it.*

In less ornate terms, the Prosecutor confessed that they could not bring home to the prisoner a single act of violence.

He then devoted a few minutes to arguing that the

events of July constituted a "military rebellion" as by law defined; and, that being satisfactorily established, he went on to an analysis of the evidence. It is this analysis which we must now analyze.

The evidence falls under four distinct heads--

1. Unsupported opinion and hearsay.

2. Statements which may or may not be true, but which prove nothing.

3. More or less relevant accusations, the truth or falsehood of which is worth examining.

4. Documentary evidence—two revolutionary papers purporting to have been found at Mas Germinal.

XVII

THE EVIDENCE—OPINION AND HEARSAY

BEFORE showing how much of the evidence consisted of irresponsible opinion and hearsay, I may as well clear up a verbal misunderstanding.

Captain Galcerán, in his speech for the defence, complained that anonymous testimony had been admitted—a suggestion which was indignantly repudiated by the Assessor (p. 291). When two sane men make such diametrically opposite statements about a body of evidence which has just been read to the Court they are addressing, it is clear that they must be using words in different senses. As a matter of fact, the Assessor was right in the letter,[1] the Defender in the spirit. It is true that the name of each witness was given, but it is also true that a great number of the witnesses reported nothing of their own actual knowledge, but only things which they had heard from unnamed other people. If that be not, to all intents and purposes, anonymous evidence, there is no meaning in the words. Mr. Hilaire Belloc,[2] going back on the Assessor, says, "The Court permitted a portion of the testimony to be anonymous." This is practically, though not literally, true. The Court did not consciously and of

[1] It would appear (Simarro, vol. i. p. 416) that some anonymous denunciations were actually included in the records; but they were not quoted by the Prosecutor.

[2] *Dublin Review*, January, 1910.

set purpose "permit" anonymity; only it had never occurred to the gallant officers that any evidence—for the prosecution—should or could be excluded.

In order to show the quality of the greater part of the evidence, I cannot do better than analyze a single paragraph of the speech for the prosecution. As translated in the Appendix (p. 260), it is broken up into several paragraphs; but in the original it runs solidly and stolidly on.

Lieutenant-Colonel Leoncio Ponte of the Guardia Civil *points* to Ferrer as taking active part in the movement of Masnou and Premiá. It is not pretended that Lieutenant-Colonel Ponte saw him doing so, or speaks otherwise than from hearsay. Though the Prosecutor does not say so, we know from other sources that the Lieutenant-Colonel based his evidence "on reserved confidences." The delicacy with which the Court respected these reserves shows that Cervantes did not smile all Spain's chivalry away. In less considerate countries the Lieutenant-Colonel would have been told to produce his informants or hold his tongue. He was the same officer, by the way, who, in the Madrid trial of 1907, denounced Ferrer as "the director of the whole," adding, "Ask any business man in Barcelona, and you will see that he will answer: *Ferrer*." The sum total of his two deliverances is that he did not like Ferrer, and imagined him capable of anything.

Jimenez Moya, "a witness above suspicion, since, on account of the exaltation of his ideas, he is at present banished to Majorca, makes the charge more concrete, saying that, *in his opinion*, the rebellion started from the Solidaridad Obrera . . . and *pointing to* Ferrer and his companions of the Antimilitarist League as its directors." The Prosecutor does not add, what we learn from Captain

Galcerán's speech, that the declaration of this witness ends with the avowal that "he knows nothing positive, since he was absent from Barcelona from the 15th of July onwards." The riots, it will be remembered, began on the 26th, and the first marked symptom of unrest did not occur until the 18th.

Verdaguer Callis "affirms that, *according to intelligence which he has no means of verifying, but which he believes to be exact*," the events were "impelled and guided by Ferrer Guardia."

Emiliano Iglesias *believes* that the Solidaridad Obrera spent more money than it possessed. [Ferrer had, about a year previously, lent the Solidaridad Obrera some £35, which it required to meet the expenses of moving into new premises. He is also said, on one occasion, to have paid the expenses of a delegate of the Solidaridad to a congress at Marseilles. Beyond this no one has attempted to prove any financial relation between Ferrer and the society.][1]

[1] We now possess the full report of the testimony of Sr. Iglesias; and it affords a good instance of the way in which evidence was treated by the prosecution. Asked whether it was true that a commission of the Solidaridad Obrera, speaking in the name of Ferrer, interviewed the Lerrouxists on the night of the 26th, he replied *that he knew absolutely nothing about it.* Asked whether it was true that Ferrer had requested him to sign a manifesto directed to the Government, he replied *that it was not true, and that he had not seen Ferrer for nine months.* Asked whether he knew of any participation by Ferrer in the preparation or execution of the revolt, he replied *that he was absolutely ignorant of any such participation.* Asked whether he knew of any connection between the revolt and operations on the Bourse, he replied *that he knew of none.* Asked whether he knew of a clandestine meeting at the Solidaridad Obrera, he replied *that he had no knowledge of it.* Asked what he knew as to financial relations between Ferrer and the Solidaridad, he replied *that he was absolutely ignorant on the point, adding that the Solidaridad had for more than a year been ferociously attacking him (Iglesias), and he believed that in that campaign of hostility it had been spending more money than it possessed.* This was the whole of his evidence. No wonder Iglesias was amazed to find himself figuring as a witness for the prosecution on the strength of one phrase, torn from its context and perverted in its application.

Baldomero Bonet, arrested on a charge of convent-burning, *believes* that the Solidaridad Obrera was at the bottom of the events, and, as it does not abound in funds, *participates in the general idea* that it was subventioned by Ferrer. On a second examination, "*he confirms his belief*, since he cannot understand that any other element could have caused the events."

"The same current against the Solidaridad Obrera and Ferrer is maintained in the declaration of Modesto Lara."

García Magallón relates a conversation with a journalist named Pierre,[1] who *told him that he had heard it said* that the events were promoted by the Solidaridad Obrera under the direction of Ferrer.

Puig Ventura "*believes* that Ferrer was at the bottom of it all."

Casas Llibre *formed the opinion* that Ferrer was the "directing element."

Alvarez Espinosa "abounds in the same opinion," and believes that Ferrer was "the true instigator and inspirer of the events."

The last three witnesses we shall encounter again, and shall have to consider the value of their evidence on matters which actually came within their knowledge. Here they are only, like all the rest, expressing opinions and beliefs for which they do not even allege the smallest solid foundation. Thus we have ten witnesses, one of whom, Iglesias, said nothing about Ferrer, two "pointed to" him, three "believed" that he was at the bottom of the revolt, two "formed an opinion" to the same effect,

[1] I have seen a letter from this Pierre, protesting that he never said anything of the sort; but this protest scarcely increases the manifest worthlessness of the evidence.

one related a report "which he had no means of verifying," and one repeated what some one else told him that he had heard some one else say. Meanwhile, there were in the jails of Barcelona more than a thousand prisoners accused of participation in the riots, and in the rest of Catalonia at least a thousand more, not one of whom could be found to have received orders from Ferrer, or arms, or money, or to have had any direct or indirect knowledge of him as organizer or chief of the revolt.

A group of five witnesses cited by the Prosecutor in the same paragraph deserves somewhat different treatment. They are villagers of Premiá—Don Juan This and Don Jaime That. Three of them declare generally that "after" the visit of Ferrer to Premiá on Wednesday the 28th events in that locality "assumed a grave character"; a fourth asserts that the change took place "immediately on his arrival," while the fifth fixes it at "an hour after his departure." Now we shall see anon that Ferrer spent a very short time in Premiá, that a most important witness, Puig Ventura (called Llarch), was in his company all the time, and that, except for what he is alleged to have said to Puig, Casas, etc., he clearly held no communication with a soul in the village. Thus, while the evidence for any considerable change in the course of events is of the vaguest, one of the prosecution's own witnesses proves that there was no connection between Ferrer's visit and whatever change there may have been.

This point is worth dwelling on for a moment, not only for its own sake, but as an instance of the extraordinary perfunctoriness of the whole proceedings. It is the literal and irrefragable truth that the prosecution absolutely contradicted itself in its attempt to establish any connection between Ferrer's visit to Premiá and the

turn taken by events after his departure. As we shall presently see, every one to whom he spoke utterly denies having been in any way influenced by him; and their evidence is accepted by the prosecution without the slightest reserve. How is it possible, then, that anything that happened afterwards should have been due to this visit? It is manifestly impossible, if Llarch, the Alcalde, etc., are to be believed; yet there is no sign that anybody put this simple point to the Court. The truth is that Captain Galcerán, even if he had had time to study his brief, had no time to state his case. It appears to have been an understood thing that the "Vista Pública" must be got through between breakfast and lunch. At any rate, whether by arrangement or not, the sitting lasted just five hours, from eight to one. Of that time two hours and a half, says the *Times* correspondent, were occupied by the reading of the "Sumario." Then the Prosecutor delivered his indictment, which, even read at lightning speed, cannot possibly have taken less than an hour and a half; so that a single hour is the very utmost that we can suppose the Defender to have occupied. There was simply not time for analysis or searching argument; which renders it the less surprising that those parts of the Defender's address which have been reported are more rhetorical than logical, more contentious than convincing.

But we are by no means at the end of hearsay evidence and the expression of mere opinion. It is stated that a man named Sola was frequently seen during the days of the disturbance at the Fraternidad Republicana of Premiá, and one Juan Alsina is "morally certain" that he received instructions directly from Ferrer. There is no evidence whatever as to his having done or attempted anything illegal; but, on the ground of one witness's "moral

certainty" that he was an emissary of Ferrer, this is gravely set forth as an incriminating circumstance. Again, one Puig Pons speaks of the appearance at Premiá of a party of thirty men whom he "believes" to have been recruited by Ferrer. He does not know this personally; but when the bystanders asked one another who these men were, the answer was, "They are the quarrymen whom Ferrer *is said* to have sent." Moreover, a good deal of vague village gossip is reported as to cyclists and persons driving a *tartana*, or one-horse cart, who were supposed to be agents of Ferrer; but no one is produced who actually saw these "agents"; much less any one who saw them do or heard them say anything illegal; least of all any evidence to connect them with Ferrer.

But the finest example, perhaps, of this class of evidence is afforded by a witness named Pedro Pagés, who "reports that he read in *La Almudaina*, a newspaper of Palma [Majorca]," a story about some workmen having patrolled the coast road, saying that they did so under the orders of Sr. Ferrer. A newspaper paragraph is not usually considered the best of evidence; but Don Pedro Pagés did not even produce the paragraph—he only remembered to have read it.

A point of transition between pure hearsay and evidence of some apparent validity is afforded by the incident of the town hall at Masnou. Salvador Millet relates, "from information received (*segun referencias*)," that on the 27th *or* 28th groups of rebels presented themselves at the said town hall, and from the balcony "harangued the multitude," saying that they did so in the name of Ferrer, "who could not be present, as he was detained in Barcelona on the business of the revolution." This is the usual vague hearsay; but in this case there is

actually one witness, Esteban Puigdemón, who declares that from the door of his house, hard by the town hall, he heard one man make a speech and say that he came to represent Ferrer. Well may the Prosecutor introduce Don Esteban in italics as a *testigo presencial*, or witness who was on the spot. Such witnesses are rarities in this part of his brief.

Esteban, indeed, is more than a rarity; he is unique. We shall come presently to witnesses who purport to relate what Ferrer actually said to them at Masnou and Premiá; but there is nothing in their evidence that shows him acting as organizer or director of the occurrences in that region, which, by the way, were quite unimportant. The attempt to exhibit him in that light—"irradiating rebellion," as the Prosecutor of the Supreme Court put it, from his headquarters at Mas Germinal—rests absolutely and entirely on the hearsay evidence we have just examined. Of the host of agents with whom popular rumour credited him—cyclists, quarrymen, miscellaneous workmen, indefinite "rebels," etc.—not one is produced. There is no direct testimony to his having issued a single order or paid any one a single peseta. There is only one *testigo presencial*, who heard some unknown person "harangue a multitude," and say that he acted on behalf of Ferrer. What has become of the "multitude"? If the incident really occurred, surely a few more of that crowd might have been found to testify to it. And, even if it did occur, can Ferrer be held responsible for what an unidentified "rebel" may have said? This whole part of the case merely proves—what we learn in other ways as well—that the ignorant peasants of the district had been indoctrinated with wild ideas as to the maleficent power of their heretic neighbour at Mas Germinal.

Perhaps we may place under the heading of hearsay evidence an accusation which is not even by hearsay brought home to Ferrer, but is confessedly a pure conjecture on the part of the Prosecutor. In order to account for the fact that so accomplished and sinister a hypocrite as Ferrer should have ventured so far out into the open as to allow of any evidence at all being brought against him, the Prosecutor puts forward "a mere suspicion, nothing more than a suspicion"—*una mera sospecha, nada más que sospecha*—that his avarice may have got the better of his cowardice, and that he may have organized and directed the rebellion in order to make money by an operation on the Bourse! Is it not an almost incredible proof of black malice that such an insinuation should have been gravely put forward by the Prosecutor and gravely listened to by the Court? If Ferrer, or any one connected with him, had had any interest in a fall in securities, it ought to have been perfectly easy to prove the fact; but there was no pretence of doing anything of the kind. We have seen in the examination of Iglesias that a feeler put forth in this direction proved unavailing; and doubtless other leading questions to other witnesses yielded no better result. Yet the Prosecutor "finds it difficult to escape from the idea" that Ferrer was not even actuated by mistaken enthusiasm, but that he let havoc loose in Barcelona from no higher motive than a base love of gain. If any answer were required to such a monstrous accusation, it would be found in an official statement by the Royal College of Stockbrokers that no unusual transaction in public funds occurred in Barcelona during the months of July and August, and that "the oscillations of values followed the regulating indications of the Bourses of Madrid and Paris."

XVIII

THE EVIDENCE—STATEMENTS WHICH PROVE NOTHING

WE have now to return to Barcelona, and to Ferrer's doings on the 26th—the day of the strike. We have already noted that, in his own account of that day, he omitted a good deal, probably in fear of compromising his friends. Let us now see whether there was anything criminal—anything displaying him in the character of "author and chief of the revolt"—in the incidents that he omitted.

There is no attempt to show the "author and chief" in any way concerned with the events of the day until three o'clock in the afternoon. At that hour—between his luncheon and his appointment with the engraver—he went to the Casa del Pueblo, a workman's restaurant and recreation-place, in search of his secretary, Litrán. In the café he saw an old Republican, Lorenzo Ardid, whose evidence in thus reported by the Prosecutor—

Ferrer entered and saluted him, saying that he would like to speak to him privately. Ardid replied, "When you please"; and Ferrer then asked him, "What do you think of the events of the day?" The witness answered, "It is all over: it is only a sort of protest, which cannot go any further." Then Ferrer repeated, "You think it cannot go any further?"—upon which he answered with energy, and Ferrer became silent. Ardid then turned his

back to him and said to one of the members, "Tell that gentleman that he had better go away quickly by the side door"—which Ferrer at once did.

Ardid has since declared[1] that this is a perverted version of his evidence; but, taking it at its face value, what is there in it? A passing remark on the situation. The prosecution apparently seeks to suggest that in Ferrer's exit there was some sort of conscious guilt; but Ardid declares that he explained this in his evidence. The fact was that Ferrer had fallen out with the Radical-Republican party, which has its headquarters at the Casa del Pueblo, and Ardid heard, or thought he heard, a menacing hum in the crowded café which showed that his presence there was resented; wherefore "to avoid unpleasantness" he "indicated" to Ferrer that he should leave by the side door, leading into the Calle de Casanovas. As we have abundant proof of the momentary feud between Ferrer and the Lerrouxists, this explanation of the matter is entirely credible.

From a rational point of view, the sole importance of the incident arises from the fact that Ferrer appears to have denied having been at the Casa del Pueblo or seen Ardid, and only to have retracted his denial on being confronted with the witness. I have satisfied myself, from the position and character of the Casa del Pueblo, that Ferrer can scarcely have forgotten the fact of his having been there. Here, then, is a single case in which he seems to have made a positively untrue statement.[2] And why? In all probability, because he feared to compromise this

[1] In a leaflet published in Barcelona, Simarro, vol. i. p. 354.

[2] The following rule of the Sumario may be worth citing in this connection: "The accused makes his declaration without being placed under oath."

very Ardid, who, as a matter of fact, was arrested in connection with the riots. The commandant probably questioned him about the Casa del Pueblo without letting him know that Ardid was to figure as a witness against him; and Ferrer was probably on his guard not to make any admission that could possibly be used against the old Republican campaigner.

Oddly enough, the Prosecutor accepts, without attempting to cast doubt upon it, the statement that Ferrer intended to return to Mongat by the six o'clock train—an intention which cannot but seem surprising in the head of the revolt, especially as it implies that the organizer-in-chief did not know that the railway line was to be cut. When Ferrer left the station, he was seen by "the agent of vigilance, Don Angel Fernandez Bermejo, *intrusted with the duty of shadowing him*," mingling with seditious groups on the Plaza de Antonio López, again near the Atarazanas barracks, and yet again on the Rambla. When one of the groups was dispersed by a charge of the police, he lost sight of Ferrer, but then saw him again going into the Hotel Internacional, where, as a matter of fact, he dined. The sole importance of this evidence is to show that Ferrer was shadowed. He could scarcely move about the streets without getting into "groups," and he would naturally exchange a few observations with this man and that. Of anything pointing to leadership the spy has no word to say.

It was very likely at the same time, though they place it a little earlier, that two soldiers saw a man in a blue suit and a straw hat in a group of people on the Plaza de Antonio López. When they requested him to move on, he pointed to a poster on the wall proclaiming the state of siege, and said, "May one not read that?" This seems

an innocent and even laudable desire; yet the Prosecutor singles out the incident as being of "notable intrinsic importance," and is triumphant when the soldiers identify Ferrer "three times"[1] in a group of prisoners. Very probably the man was Ferrer, who was certainly in that part of the town about that time; but where is the "intrinsic importance" of the fact? Shortly afterwards, the Prosecutor tries to give it extrinsic importance by citing the evidence of two officers (a Colonel and Captain) who, on the 28th, arrested some persons armed with new Smith revolvers, who said the pistols had been given to them by a man they did not know, wearing a blue suit and a straw hat. How many men in Barcelona wore blue suits and straw hats? And what had become of the arrested revolver-men? If one or two of them had identified Ferrer as the distributor of the weapons, their evidence would have been worth all the rest put together.

The Defender did not fail to enquire what had become of these men, and the Assessor ridiculed the question, on the ground that, as the importance of the "blue suit and straw hat" was not recognized until the two troopers were examined towards the end of September, the Colonel and Captain could not have been expected to pay much attention to the remark of the revolver-men two months earlier. But this did not meet the point. The odd thing is that, when rebels or suspected rebels were being arrested wholesale, two men found in the possession of arms, confessedly accepted by them for revolutionary purposes, should either have been allowed to go free, or should have been irrecoverably lost among the thousand prisoners.

[1] In this and another case of identification, the "three times" are specially insisted on. But surely any one who can identify a man once can do so three times.

The Assessor's argument renders it no whit the less true that the failure to produce these men, or at least one of them, deprives the incident of all significance.

Now appears on the scene a curious and rather important figure. As Ferrer was sitting, about half past nine o'clock, in the café under the Hotel Internacional, where he had dined, he saw passing a youth named Francisco Domenech, assistant in a barber's shop at Masnou, and secretary of the Republican Committee of that village. Ferrer called him in, and, learning that he proposed to walk home that night, suggested that they might go together. From the café, says Domenech, they went to the office of the Lerrouxist (Republican) paper *El Progreso*, to learn "what the comrades were going to do"—an odd inquiry for the "author and chief" to make. Thence they went to a café, where Ferrer met some of his friends, and nothing particular happened; and presently they returned to the office of *El Progreso*. Ferrer went in alone, and on coming out he remarked, according to Domenech, that neither Iglesias nor others had been willing to sign a document which he had brought with him, an address to the Government demanding the cessation of embarkations for Melilla, and threatening, in case of refusal, to make a revolution, the signatories placing themselves at the head of the people. Iglesias had said that the strikers had better return to work, and had asked what forces he counted upon for the course proposed.

Now, Iglesias denies that he saw Ferrer that night. It is true, however, that some such document had been drawn up by Moreno; and it is true that, had the project gone forward, Ferrer would have signed it. But it is not true that the design was his, that he carried the document around, or that he took any leading part in the negotia-

tion. In so far as Domenech's testimony points in that direction, it is false. Domenech may have misunderstood, or his evidence may have received a little twist in the reporting. We shall see before we have done with Domenech that there was no possibility of testing or rectifying his statements.

From the office of *El Progreso*, Ferrer and Domenech set forth to walk home. Their way lay through the Calle de la Princesa, and in that street they met Moreno. Ferrer told him that there were representatives of the Solidaridad Obrera at the office of *El Progreso*, trying if they could come to an understanding with the Radicals, and suggested that Moreno should go and see what was happening. He replied: "They [presumably the Radicals] are already compromised"; and added, according to Domenech, "Woe to whoever fails us, for we will do with him as they do with traitors in Russia!"

Then Ferrer and the little barber walked on together, parting at Mongat between four and five in the morning. We shall meet our friend Domenech again a little later.

In all these incidents of the 26th, is there a single one that shows Ferrer taking a directing part in the disturbances? I submit that the evidence, even accepting it at its face value, is wholly inconsistent with such a view. He is an interested onlooker, no more; and after six o'clock he is an onlooker only because the trains are not running, and he prefers (as he said to Litrán) to take his eleven-mile walk in the cool of the early morning. We find him willing to join in sending a threatening address to the Government; and if that willingness be a punishable offence, he deserved whatever punishment the law assigns to it. But between that and being author and chief of the rebellion there is all the difference in the world. Had he had any guilty

consciousness, he would scarcely have been at pains to attach a witness to his every footstep. Domenech asserts, no doubt with truth, that he and Ferrer were the merest acquaintances. Why should Ferrer, had he been organizing and directing the rebellion, have put his life in the hands of a casual barber's assistant?

XIX

THE EVIDENCE—RELEVANT ACCUSATIONS

IT is almost a relief to come upon two accusations to which a certain weight would doubtless have been attached in a competent court of law. One is the unsupported assertion of a single man; the other rests on the testimony of several witnesses.

In tracing the growth of the legend of Ferrer's culpability, we saw (p. 164) that his first definite accuser was a certain Colldeforns, Colldefrons, or Colldefons. This person's evidence acquires some importance from the fact of its being unique. He, and he alone, professes to have seen Ferrer actively taking part in the disturbances—doing nothing in particular, indeed, but apparently in command of a group of insurgents. Quite naturally, then, the Prosecutor, Assessor, and Auditor all lay special stress upon this deposition. It is the corner-stone of their case, so we must look rather closely into its solidity.

Don Francisco de Paula Colldefons, a journalist on the staff of various clerical papers, asserted in one of them, *El Siglo Futuro*, as early as August 9, that he saw Ferrer "at the head of a group (*capitaneando un grupo*) in front of the Liceo Theatre on the Rambla." When he appeared before the Examining Commandant, however, his statement became considerably less positive. This is how the Prosecutor reports it—

The said gentleman affirms that on Tuesday, the 27th, between seven-thirty and eight-thirty in the evening, he saw a group, in the Rambla, in front of the Liceo, *captained* (mark that well) *captained* by a person who seemed to him to be Francisco Ferrer Guardia, whom he knew only from a photograph; but he acquired the conviction that it must be he from hearing the passers-by say so. The group passed down the Calle del Hospital. Furthermore, . . . the witness identified Ferrer three times in a circle of prisoners as the man he had seen in that situation.

Clearly, this evidence is worth looking into.

What weight can we attach to the identification? The witness who knew Ferrer from a photograph would, of course, refresh his memory of the photograph before proceeding to the identification, so that it is scarcely surprising that he should recognize his man. Moreover, we have seen that the authorities had been careful to dress Ferrer in a ridiculous garb, which would make him stand out from any group of ordinary prisoners, and insure attention being drawn to him. The identification, then amounts to nothing. It will be remembered that Ferrer was identified by at least one witness (p. 185) whose evidence the prosecution subsequently dropped.

Now as to the actual incident: It took place "between seven-thirty and eight-thirty in the evening"; yet it does not seem to have occurred to any one to inquire by what light Colldefons recognized a man whom he knew only from photographs. I have satisfied myself that at seven-thirty on July 27 it would be barely possible to see a man's features by the evening light at the spot indicated; at seven-forty-five or later it would be quite impossible. But what about electric light? I have been unable to find any conclusive evidence as to whether the electric lamps were

or were not lighted on the Rambla that evening. The probability is that they were not. In any case, the light must either have been very dim, or else artificial and deceptive. The fact that this point was wholly neglected shows the danger of relying upon witnesses who cannot be cross-examined. Furthermore, no one has enquired what Sr. Colldefons meant when he said that the man in question was "captaining" the group. What were the signs and tokens of his captaincy? On this point, too, a little cross-examination would not have been amiss.

What, now, was the probability of Ferrer's being in Barcelona on the evening of the 27th? The authorities had carefully refused to admit the evidence of Ferrer's family, who positively assert that he never quitted Mas Germinal that day. But, even with this testimony ruled out, what do we know? We know that he reached home on foot about five on the Tuesday morning; and we know that all public means of communication, by which he could have returned to Barcelona that day, were interrupted. Can we conceive that, at two or three on the Tuesday afternoon, he started in the blazing heat to walk eleven dusty miles into Barcelona, in order to "captain a group"? Or, if he took some private conveyance, can we conceive that, in that thickly peopled region of gossiping villagers, no evidence of the fact should be forthcoming? He must not only have gone to Barcelona, but he must have returned before ten the next morning, when he went, as usual, to be shaved at Masnou. Is it conceivable that there should be absolutely no evidence as to his means of transit either way? that not a living soul should have seen him outside of Mas Germinal, save Don Francisco de Paula Colldefons? Where was "the agent of vigilance, Don Angel Fernandez Bermejo, intrusted with the duty

of shadowing him"? He was not a man unknown in Barcelona, nor one whose comings and goings were apt to be unmarked. If he was "captaining a group," he must have made himself at least moderately conspicuous; yet, out of the thousands who were in the streets that night, the one discoverable person who recognized him was a Catholic journalist who did not know him!

And this Catholic journalist who did not know him is the one witness who even purports to present him in the light of a chief or director, not of the revolt, but of a particular *grupo de revoltosos*.

It is not necessary to assume that Colldefons was lying, or that he mistook somebody else for Ferrer. More probably, I think, he was mistaken as to the date. If he had referred the incident to the 26th instead of the 27th, we could have believed him without difficulty. In going from the Hotel Internacional to the office of *El Progreso*, Ferrer would naturally cross the Rambla, practically in front of the Liceo, and proceed down the Calle del Hospital. As for the "captaining" of a group, it must be remembered that the Rambla of Barcelona is, in the most normal times, an exceedingly populous and animated thoroughfare, and that on that evening of excitement it was doubtless crowded with "groups" proceeding in every direction. Ferrer may simply have chanced to be walking at or near the head of a group, with which in fact he may have had no connection. The evidence of his "captaincy" is, as we have noted, nil.

Vastly more serious is the evidence of the village Republicans of Masnou and Premiá de Mar. If we can believe it, we must hold Ferrer guilty of an indiscretion which was doubtless liable to some punishment, though

it was immeasurably different from the crime of being "author and chief of the revolt." But can we believe the evidence?

This is how it runs: On Wednesday the 28th, Ferrer, as was his custom of a Wednesday morning,[1] presented himself at the barber's shop at Masnou, where Domenech was employed. According to Domenech, he sent for one Juan Puig Ventura, nicknamed Llarch, or "tall," the President of the Republican Committee. On Llarch's arrival, Ferrer proposed to him that he should go to the Ayuntamiento, or town hall, and there proclaim the Republic. So far, Domenech; but Llarch himself goes further and says that Ferrer urged him "to begin by inciting people to sally forth and burn churches and convents." Llarch replied that he did not see how that would advance the Republican cause; to which Ferrer answered that he cared nothing about the Republic, but was simply bent on revolution. He then proposed that Llarch should accompany him to Premiá, which that gentleman, though shocked at his suggestions, agreed to do. At Premiá they met the Alcalde, or Mayor, to whom Ferrer made similar proposals. Then, on their way back to Masnou, they met a group of young men coming from Barcelona, who told them what was going on,[2] whereupon

[1] The prosecuting officers represented that on this occasion he had himself clean-shaven for purposes of disguise. The evidence suggests nothing of the sort. As he wore only a moustache and a sort of imperial, his cheeks were always shaved; and it was his custom to submit himself, every Wednesday and Saturday morning, to the ministrations of Sr. Domenech or one of his colleagues. If he ever shaved in order to disguise himself, it must have been after he went into hiding.

[2] If the evidence of Colldefons were true, this would be no news to Ferrer, who must himself have returned quite recently from Barcelona. Again, if the evidence of both Colldefons and Llarch were true, it would be strange that Ferrer should have said nothing to Llarch as to his having taken part in the scenes of the "tragic night," in Barcelona.

Ferrer said, "Good! Good! Courage! It must all be destroyed!"

The Alcalde himself, Don Domingo Casas, and the acting secretary of the Ayuntamiento, Alvarez, are quoted as emphatically confirming the statement that Ferrer proposed the proclamation of the Republic, and the Deputy Alcalde, Mustarés, seems to have told the same story. Finally, Francisco Calvet, waiter at the Fraternidad Republicana of Premiá, relates that at half-past twelve on the day in question Llarch appeared at the café with another person whom he (Calvet) did not know—

"Presently arrived Casas, Mustarés, and Alvarez; and then the unknown said: 'I am Ferrer Guardia.' The witness adds that this produced a startling effect on those present, and especially on himself, on account of all the evil he had heard of that person; and that then Ferrer added, addressing the Alcalde, 'I have come to say to you that you must proclaim the Republic in Premiá.' The Alcalde replied, 'Sr. Ferrer, I do not accept these words'; upon which the accused answered, 'How should you not accept them, since the Republic is proclaimed in Madrid, Barcelona, Valencia, and other capitals?'"

These allegations, I confess, seem to me by far the strongest part of the whole case for the prosecution. On examination, we find reason to discount them heavily; but I am inclined to think that there must be a residue of truth in them.

What is Ferrer's own account of the matter? We have it in the long letter to Charles Malato, written on October 1. He says that the barber's shop at Masnou rapidly filled with people who wanted to question him about



THE HACIENDA FELICIANA AT TREMEA

(The so-called "conference" took place in the upper room with the balcony.)

the events at Barcelona; for the report had got abroad that he was connected with them. He told them that he was as anxious as they for news, since he wanted to attend to his publishing affairs as soon as business was resumed. Just then a small steamboat came along the coast from Barcelona, and seemed to be going to put in at Premiá; whereupon he proposed to Llarch, who had just been telling how he had quieted a riotous crowd, that they should walk on to Premiá and learn what news the steamer brought. But she did not, after all, put in at Premiá; so they very soon returned, Llarch to Masnou, Ferrer to Mongat. During the five or ten minutes they spent in Premiá, they were surrounded by people asking for news—"as we, in turn, asked them." "It appears," Ferrer continues, "that the Republican Mayor of Premiá was among the group; and he now declares that I proposed to him to proclaim the Republic, and to burn the convent and the church; which is as false as Llarch's assertion to the same effect. The judge confronted me with these two *canailles*, who stuck to their assertions in spite of my protests, reminding them that we exchanged only the phrases that every one was exchanging in those days: What is going on? What is the news from here, from there? What are people saying?"

At the confrontations, Llarch is reported as having said "that he was sure Ferrer would abound in explanations and denials, but that he nevertheless maintained what he had stated"; while the Alcalde said, "One who denies the truth, as you do, is capable of denying the light of the sun."

We have, then, six witnesses—Domenech, Llarch, the Alcalde, Mustarés, Alvarez, and Calvet—who all aver that Ferrer urged the proclamation of the Republic, two of

them adding that he also incited to convent-burning. This is unquestionably pretty strong evidence. But there are one or two remarks to be made as to the credit of the witnesses.

Domenech, to begin with, having given his evidence, was got out of the country with all despatch. His own account is that "friends" gave him money, and that he started for South America on the 16th of August. The "friends" are stated to have been the Barcelona Committee of Social Defence, an ultra-Catholic organization, which bought him off his military service and gave him £60 with which to clear out. This assertion was made, in somewhat veiled terms, by Captain Galcerán, in his speech for Ferrer's defence, and I have not seen it denied. At all events, I have it from Sr. Domenech's own lips that "friends" made it possible for him to absent himself for three or four months—until, in fact, Ferrer was satisfactorily dead. His evidence, then, though costly, can scarcely be called valuable.

Of the other five, three at least—Llarch, the Alcalde and Alvarez (I am not quite sure about Mustarés)—were arrested on the charge of taking part in the disturbances, and were liberated, without trial, after giving their evidence. This is, on the face of it, not quite reassuring. There are several indications that, in an irresolute, half-hearted way, the good folks of Premiá had coquetted with the idea of revolution. It is impossible, even if it were worth while, to get at the exact truth. "That was a fine time," a shrewd village matron said to me, "for any one who had a grudge against a neighbour." There is talk of arms having been distributed by the Alcalde "for the preservation of order"—a laudable object, but liable to misconstruction. It seems certain that an attack upon the fine



THE MELLOW HOUSE OF JEREMIA

With the Convent which was [illegible] burnt



THE AYUNTAMIENTO OF JEREMIA

(With the balcony from which the Republic was [illegible] proclaimed

new monastery[1] of the Brothers of Christian Doctrine, on the outskirts of the village, was at one time contemplated; but I was positively assured that it never came off, and that some confused talk, quoted by the Prosecutor, about dynamite having been used in the assault, was absolute nonsense. The only riotous proceeding which really took place, so far as I could ascertain, was the destruction of some railway property. The upshot seems to be that the villagers, excited by wild rumours of revolutionary successes in Barcelona and elsewhere, hovered for some time on the brink of an outbreak; and there is not the slightest reason to doubt that the Alcalde and other Republicans hovered as near the verge as anybody. In some unaccountable way, it came to be believed, towards the end of August, that Ferrer was hidden in the Alcalde's house. In short, a very strong current of suspicion set against that magistrate and his associates. They cannot have been very guilty in act, for no great harm had been done; but whether their intention and effort were equally innocent it is hard to say. When one realizes the whole position,—the panic that prevailed; the denunciations flying around; the jails (and such jails!) full of prisoners; and always on the horizon the grim silhouette of Montjuich, with its tradition of torture,—one is not inclined to wonder overmuch if these poor villagers (a butcher, a blacksmith, etc.) were tempted to give to their evidence just the little twist that the authorities so ardently desired. We may remember, too, that at the time when the first investigations were made (it must have been early in August, since Domenech departed on the 16th) it was universally believed that Ferrer was safely out of the country; and even when, on

[1] It was this building upon which Ferrer was said to have headed an attack—the rumour which sent him into hiding.

the 19th, the authorities learned that he was not far off, they were astute enough to keep the knowledge strictly to themselves. What more simple and harmless, then, than to shift on to Ferrer's shoulders any little indiscretions into which one might have been betrayed?

On the other hand, I am inclined to regard the waiter, Calvet, as an honest witness. He was not (I believe) arrested, and he had nothing to fear except, perhaps, loss of favour with the Committee of the Fraternidad Republicana. It will be noted that he says nothing about convent-burning. Moreover, I confess to feeling that Ferrer, in the letter above quoted, protests a little too much. It is hard to believe that he and Llarch walked from Masnou to Premiá and back again (about five miles in all) without exchanging some definite views on the situation. Ferrer's version of all that passed during these two hours is altogether too colourless and non-committal. The probability is, I think, that there was a good deal of general discussion as to the prospects of the revolt. Barcelona was entirely cut off from the rest of the world, and wild rumours were afloat as to the success of the movement in other cities. The question whether, and when, it would be safe to proclaim the Republic, would almost certainly be canvassed among these Republicans; and it is possible that Calvet, going to and fro about his business, may have heard phrases which, somewhat modified by after suggestion, assumed in his mind the form in which he stated them. Nor can one regard it as quite improbable that, looking at the columns of smoke rising over Barcelona, Ferrer may have expressed a malign glee. In this there is nothing inconsistent with his declaration to the Examining Commandant that "he was opposed to what happened in the week of disturb-

ances." I do not wish to see any wrong done to my dearest foe, and I would not raise a finger to injure him; but if, by chance, he gets into trouble—well, I do not pretend to be inconsolable.

The story of the villagers, then, may very likely be founded on fact, though wildly distorted by their panic-stricken eagerness to save their own skins. Supposing it, however, to be literally true, can we find in it any proof that Ferrer was the author and chief of the revolt? On the contrary, it shows him, on the day when the revolt reached its height, strolling through insignificant villages, thirteen to fifteen miles from Barcelona, and making pitifully ineffectual attempts to lure certain law-abiding citizens aside from the paths of virture in which their feet are fixed. It is quite extraordinary how badly he chooses his men, and how he is rebuffed at every turn by their unflinching loyalty to Church and State. Strange that these pillars of the commonwealth should actually have been imprisoned for sedition! Their story, if we accept every syllable of it, would show Ferrer liable to whatever punishment the law assigns to an utterly abortive attempt to stir up a local sedition; but even the Spanish Military Code does not make this a capital offence.

XX

THE EVIDENCE—DOCUMENTARY

WE have now to consider the documentary evidence, on which the prosecution laid the greatest stress. It consisted of one manuscript which Ferrer admitted to be genuine, and three type-written circulars, forming practically one document, of which he denied all knowledge.

If the genuine document is *all* genuine, it shows that at the date of its composition—1892—Ferrer was a violent revolutionist, prepared to go all lengths in order to overthrow the existing polity. I do not say that it is not all genuine; but there are some mysterious circumstances about it which, I own, baffle my comprehension. I did my best, when in Spain, to obtain access to the original, but did not succeed.

In 1892, Ferrer attended a Congress of Freethinkers in Madrid; and it was at this time that he drafted a paper, never printed or otherwise issued, which figures in the indictment as a "manuscript proclamation." What the Prosecutor says of it is that, in view of a contemplated rising, it proposed the organization of a band of 300 revolutionaries, and that persons willing to join this band were invited to address to Ferrer—Poste Restante, Rue de Lafayette, Paris—information in the following form:—

I have one, two, three, or more friends, names and addresses given, with or without means of defence (arms);

able to travel (that is to say, able to pay the fare to Madrid); willing to travel (that is to say, willing but lacking the means); with provisions for one, two, etc. (that is to say dynamite).

Now, the question at once arises: are the words in parentheses, and especially the last phrase, written by Ferrer himself? or are they conjectural explanations interpolated by the prosecution? The Prosecutor, in reading the passage to the Court, was silent on this essential point; but the Assessor in his "dictamen" (delivered, be it remembered, in the absence of the accused and his Defender) affirmed emphatically that the phrase "that is to say dynamite,"[1] was written in Ferrer's own hand. It seems at first sight absurd that Ferrer should have given (so to speak) at once the cipher and the key; but it must be admitted, on second thoughts, that this is not in itself impossible, since his purpose was apparently to instruct his correspondents how to communicate with him in more or less veiled terms. The matter assumes a different, and rather puzzling, complexion, however, when we turn to a letter written by Ferrer on October 1, 1909, from the Model Prison, to his friend Charles Malato.[2] In it he tells how the Examining Commandant insisted on laying great stress on this "brouillon," in spite of Ferrer's

[1] The Assessor, by the way, misquoted. The words in parentheses, according to the Prosecutor, were "querrá decir dinamita"; the Assessor makes them "*que* querrá decir dinamita." The grammatical nicety here involved may seem very trifling; but nothing ought to be held trifling where a man's life is at stake. Without the *que* the parenthesis is equivalent to "That is to say dynamite"—a phrase which might no doubt have been employed by the writer of the document, but rather suggests an interpretation inserted by some one else. With the *que* the phrase is equivalent to "Which will mean dynamite"—an explanation having all the appearance of proceeding from the writer of the document.

[2] *Francisco Ferrer—Sa Vie—Son Œuvre*, p. 55.

protestation that he had dashed it off seventeen years before, and had never thought of it again. The Commandant, he continues, "stuck to his point, saying that he had sat up several nights till three in the morning studying the draft word by word, and trying to decipher its true meaning." Now, if the document left Ferrer's hand as the Prosecutor read it, and the Assessor vouched for it, there would surely have been no need for this official to cudgel his brains over it. The conclusion seems almost irresistible that the words in parentheses were the result of the Commandant's vigils; for it will scarcely be argued that Ferrer possessed the superhuman foresight and cunning to make up this story, nine days before his trial, in order to throw dust in the eyes of posterity. We can believe the parentheses to be interpolations without suspecting the Assessor of mendacity. It is quite possible that, in the course of copying or type-writing, the distinction between original text and interpolations might be overlooked; so that both Prosecutor and Assessor might sincerely, though erroneously, believe the explanations in brackets to be Ferrer's.

This account of the matter seemed to me almost convincing, until I read carefully the whole text of the "proclamation" as it was published in the Madrid newspapers of September 16, in gross violation of the secrecy of the "Sumario." If this text be accurate, it matters very little whether it was Ferrer or another who put in the words "querrá decir dinamita"; for he must have had dynamite in his mind. Here are the two principal paragraphs of the manifesto, which is addressed, by the way, "A Los Congregados"—to the members of the Congress—

We are completely convinced that, on the day when,

at one and the same hour, the heads of the royal family and of its ministers fall, or the buildings which shelter them collapse, there will be such a panic that our friends will, without much fighting, be able to seize the public buildings and organize the revolutionary committees (*juntas*).

To you, the first adherents, will fall the glory of being the initiators, and the first to die for the cause—a death a thousand times more honourable than to live beneath the shameful oppression of a gang of robbers, led by a foreign woman, and supported by priests and exploiters. Up, then, noble and valiant hearts, sons of the Cid. Do not forget that in your veins flows Spanish blood.[1] Long live the revolution! Long live anarchy!

If Ferrer really wrote these words, they show him to have been at that time, in desire and intent, one of the great criminals of history—a sort of Spanish Guy Fawkes. A more sanguinary scheme has seldom been conceived than that of wiping out at one blow the whole royal family and government of a nation. It is as mad as it is inhuman; but, if it were in any way possible, it could only be through the lavish employment of high explosives, to which, indeed, the allusion to the collapse of buildings very clearly points. Supposing, then, that the paragraphs are authentic, one is bound to admit that at this time—in his thirty-third year—Ferrer was an anarchist in the most violent and anti-social sense of the term.

What are the reasons for doubting their authenticity?

[1] The romantic nationalism of these phrases is diametrically opposed to the no less extreme internationalism or anti-nationalism of Ferrer's later years, and is, indeed, not very consonant with anarchist views in general. If the paragraph is a forgery, it is a clumsy one; but, as truth is sometimes stranger than fiction, it may nevertheless be genuine.

They are not very strong, perhaps, but worth noting. One is that the document, as it appeared in the press, was certainly garbled in one important word. The phrase at the end of the above extract, quoted by the Assessor as "Viva la anarquía!"—and he was scarcely likely to soften the actual expression—appears in the newspapers as "Viva la dinamita!"—a suggestive variant. But what is much more surprising is that neither Prosecutor, Assessor, nor Auditor should say a single word of the first paragraph I have quoted, and the ruthless scheme of massacre set forth in it. They rake up everything they can possibly find to Ferrer's discredit; they retail anonymous whisperings and invent conjectural slanders; but they are absolutely silent as to an utterance which shows him to have been, at one stage of his career, potentially and in aspiration a colossal criminal. I cannot conceive any adequate reason for this reticence. It is not as though they admitted any statute of limitations; for they denounce with emphasis the very next paragraph of the same document. Such audacious villainy as the interpolation of the two paragraphs quoted is scarcely conceivable; but it may be worth while to point out that the "proclamation" would read quite coherently without them. The weight of probability is, on the whole, in favour of the genuineness of the whole document. That seems the less incredible theory of the two. But that the three prosecuting officers should have entered into a conspiracy of silence as to this, the most damaging feature by far of their whole case, is certainly an amazing circumstance. When we put alongside it Valerio Raso's curious remark that he had sat up of nights trying to fathom the meaning of the "proclamation"—as if the meaning (in the published text) did not lie all too

glaringly on the surface—we cannot but feel that there is here some mystery which ought to be cleared up.

Ferrer strongly protested that he was being tried for what he was said to have done in 1909, not for what he might have thought, or written, or wished to do in 1892. It cannot be said, however, that any genuine evidence as to doctrines he had held at any period of his career was really inadmissible ; but, having admitted this evidence, the Court ought not to have excluded and ignored the abundant evidence of the change which had in the meantime come over his views. Some of this evidence was actually included in the Examining Commandant's portfolio, and much more would have been available if the authorities had not declined to admit testimony from abroad. I have already discussed sufficiently the reality of Ferrer's transformation from a militant politician into an educational enthusiast ; but I have reserved some of the proofs for this point, so as to emphasize once more his change of heart. The quantity of the evidence is almost unlimited ; but it is not all of equal validity. Any declaration made after the Morral outrage, and especially during the time of Ferrer's imprisonment in connection with that crime, is clearly open to suspicion. On the other hand, declarations made years before this crime could possibly have been dreamt of : made to persons whom he had no interest in deceiving : and followed up by a long course of action entirely consonant with the sentiments expressed—such declarations must be accepted as sincere, unless we are to regard Ferrer as a miracle of far-seeing and sedulous hypocrisy.

The earliest and most categorical avowal of his conversion was actually, as I have said, included in the portfolio of the prosecution, though the attention of the Court

was not called to it. It is quoted by the Auditor-General in the "dictamen" wherein he recommended the Captain-General of Catalonia to confirm the sentence of the Military Tribunal. The Auditor attaches no date to it; but as it is an advertisement or circular forecasting the establishment of the Escuela Moderna, it must clearly belong to 1901. It runs thus:—

A revolutionary republican who has lived in Paris since 1885, and has been disillusionized by his contact with the Progressists and other Spanish Republicans, by his observations of the French Radical and Socialist parties [etc., etc.] has arrived at the conviction that the only path which leads to the redemption of those who suffer, and to a truly social state, is the instruction of the working class. . . . Persuaded of this, he has exchanged his former revolutionary ardour for a passion for popular education, and, thanks to his constant propaganda, has succeeded in finding some resources for the foundation of an emancipatory school. . . . The person in question, Francisco Ferrer Guardia, intends to establish his school in Barcelona, because he believes that the Catalan capital is the best centre for the propagation and development of these ideas.

What could be more explicit than this? It may be taken as a sign of good faith on the Auditor's part, but scarcely of intelligence, that he should actually quote such a passage in a pronouncement urging the ratification of the sentence of death.

It might conceivably be argued that this semi-public announcement—it was addressed to authors of school-books—was deliberately insincere. But why should Ferrer take the trouble of playing the hypocrite to his friend Mlle. Henriette Meyer, to whom, in 1902—four years

ESCUELA NORMAL
BARCELONA

Le 11 [illegible]

[illegible] les mots

Je ne peux pas respecter l'écriture pas, en vous conservant à votre famille vous empêche de vous voir pendant à nous faire devenir pour un l'enseignement rationnel que nous voulons en Iran et comme cela va légal nous mettons toute notre confiance

Tous changeons la façon de [illegible] l'enseignement et ne pas [illegible] nous avons de choses plus urgentes que l'établissement d'un système d'éducation. Je que vous le comprenez et que portant ne fermez pas, [illegible] abattre le monde ancien et de bâtir l'empire de toute idée [illegible] pensons beaucoup plus grande encore pour il me semble que tout est [illegible] général pour l'abolition de la peine de mort on la peine générale sur notre communauté nous devrons nos enfants entièrement par la [illegible] et le [illegible] du temps.

Vous êtes [illegible] nous [illegible] de l'[illegible] nous ne pouvons [illegible] pour l'instant, mais [illegible] [illegible]

N'oubliez pas de fonder une bibliothèque spéciale pour les écoles. Nous avons commencé par un abrégé d'histoire qui sera terminé dans quelques mois, ensuite viendra le tour de la cosmographie pour laquelle nous attendons, Mademoiselle de vous à nous faire cette faveur de la rayer, afin d'avoir plus de manuels de sciences et de livres de lecture.

Nous devons compter au 15 août deux ou trois cas pour justifier les livres indispensables à la marche régulière de nos écoles, mais lorsque nous les aurons nous pourrons alors avoir d'autres établissements, non seulement à Paris mais partout où nous serons certains de rencontrer des camarades dévoués.

Veuillez agréer Mademoiselle l'assurance de considération distinguée

Fernand Pelloutier

Bien des choses à Mademoiselle.

before the Morral attempt, and seven before the Barcelona outbreak—he addressed the following letter.[1] He had invited Mlle. Meyer to undertake the management of the Escuela Moderna; she declined on the ground that her position as the head of a committee for the abolition of capital punishment prevented her from leaving Paris; whereupon he wrote to her expressing his regret, and adding—

In order to change the conditions of humanity, there is nothing, to my mind, more urgent than the establishment of a system of education, as we understand the word, the effect of which would be to accelerate the march of progress and greatly to facilitate the realization of every generous idea. That is why it seems to me that to work at present for the abolition of the death penalty, *or for a general strike*,[2] without knowing how we are to bring up our children, is to begin at the wrong end and to waste our time.

This letter, it is true, was not before the Court which found its writer guilty of organizing and leading a general strike. The Court, or rather the Government, had decided to give no ear to the voice of foreign "philosophers," as the Assessor contemptuously called them.

I shall quote only three of the many declarations to the same effect made after the Morral outrage. One is from a letter of May 25, 1907, written from the Model Prison at Madrid to Dr. Odón de Buen, Professor of Natural History in the University of Barcelona—

You know very well how I have been disabused of

[1] A facsimile of this letter is here reproduced, by permission, from *Ferrer: l'Homme et son Œuvre*, by Normandy & Lesueur (Paris, A. Méricant).

[2] The italics are mine.

politics, and at present, with these new divergencies and strange orientations, I become more and more rooted in the conviction that by rationalist teaching and equalitarian education, much, very much more can be effected than by electoral contests.[1]

The second is from a letter dated Paris, November 5, 1907, and addressed to his friend O. Dinale. Ferrer regrets not having been in Barcelona during a recent visit of Professor Dinale's, though he could have shown him only the empty rooms of the Escuela Moderna, closed in defiance of law. He then proceeds—

The attitude of the Government proves that we are right in seeking for human emancipation by means of education, and of that alone. If we had not been convinced of it long ago, the rage with which we are persecuted, and the interest which the reactionaries manifest in discrediting our system of teaching, would sufficiently encourage us to pursue the path we have traced for ourselves.[2]

Finally, in the before-mentioned autobiographic sketch, contributed to the *Almanach-Annuaire de la Libre-Pensée* for 1908, he expresses himself "convinced that without adequate education to prepare the way, every movement of liberation must remain inoperative."

If the reader will turn to the "dictamen" of the Auditor, he will find that, on the point of Ferrer's conversion from political to educational interests (as, indeed, on several other points), the prosecuting officers did not even take the trouble to adopt a definite theory and stick to it. In the main, the theory either expressed or implied is that Ferrer was simply a hypocrite who affected an enthusiasm for education in order to cloak his schemes of

[1] *Protest*, p. 309.
[2] Facsimile in *Ferrer: l'Homme et son Œuvre*, p. 33.

violence, and, if possible, to elude responsibility for them. But the Auditor, at p. 304, totally abandons that theory. He admits—as he cannot help admitting, in view of documents which he himself produces—the genuineness of Ferrer's educational ardour. How, then, does he reconcile this admission with the theory of his guilt? By an assumption so nonsensical that it is hard to believe it sincere—by the assumption that Ferrer considered his educational work completed in eight years of narrow and hampered activity, one year of which he spent in prison! Can any one imagine a more insensate theory? I have shown that not more than three hundred pupils can possibly have passed through Ferrer's hands; but to this it may be replied that his influence is not to be measured by the actual muster-roll of the Escuela Moderna. His influence was greatly overrated by the prosecution; but even if we accept their estimate of it, is it not evident that he had scarcely scratched the surface of the illiteracy and backwardness which he deemed it necessary to overcome before any solid political results could be hoped for? In Ferrer's mind, the work he had undertaken was not one which he himself could possibly hope to complete. It was a labour of generations. He was merely running the first furrow of a field which those who came after would have to plough. How clearly he realized this may be seen in the document he addressed, on the last day of his life, to Soledad Villafranca (p. 236). That, of course, could not be known to the Auditor; but any one who accepted the sincerity of Ferrer's views on education was bound in mere candour and common sense to believe that he contemplated something vastly different from the primary teaching of some two or three hundred, or even two or three thousand, children. It is easier to conceive

Ferrer the rogue of the Prosecutor's speech than the fool of the Auditor's pronouncement. The fact that no one seems to have observed the glaring inconsistency between these two views is another proof of the headlong superficiality with which the whole case was conducted by the military authorities, and reviewed by those with whom the final decision lay.

The second piece of documentary evidence need not detain us long, for it is almost certain that Ferrer had nothing to do with it, and quite certain that it had nothing to do with the Barcelona Revolt. It was an old-looking type-written document in three parts, purporting to be an anarchist proclamation and programme, though suspiciously like the work of an *agent provocateur*. It was said to have been found during the practically uncontrolled search at Mas Germinal of August 27 to 29.[1] Ferrer declared that he had never set eyes on it before; and when we consider the circumstances of its alleged discovery, and the fact that, at the Madrid trial, forged documents, or papers falsely attributed to him, found their way into his "dossier," we can have no difficulty in accepting his disavowal. Three letters, as it happened, were put in with pen and ink—the *t* in the word *actos*, and the *ba* in *trabajando*. The prosecution got two experts to examine these letters, and they declared, "without being able to make any positive affirmation," that they *might* have been written by Ferrer. This absolutely non-committal statement was perverted, in the Prosecutor's address, into an affirmation that the corrections "must be" or "were surely" (*deben ser*) in Ferrer's hand.

[1] In his letter to Heaford of October 5, 1909, Ferrer says that the Examining Commandant at first declared that these papers had been found during the first search at Mas Germinal, in the presence of Mme. Villafranca and his family, but that he afterwards admitted he was mistaken on this point.

To Ferrer's denial of all knowledge either of the documents or the corrections, the Prosecutor opposed the triumphant argument that since he had neglected, during the "Plenario," to demand another examination of the letters, by experts nominated by himself, he had thus implicitly confessed their authenticity. To this there are several replies. First, the "Plenario," if it ever occurred at all, seems to have been so slurred over that it is doubtful whether Ferrer realized what was going on. Second, there is nothing to show (and it is highly improbable) that his right to claim a further examination of the letters was ever pointed out to him. Third, even if it was, he may very well have thought it incredible that the Court should pay any attention to so manifest an absurdity as an identification of three letters. If he gave any thought to the matter, his practical sense must have told him that it would be as impossible for an honest expert to deny as to affirm that the letters were his. Besides, he could not foresee that the Prosecutor would misquote the report of the Government's own experts. That report, in its authentic form, was of no evidential value—why should Ferrer be at the trouble of attempting to contradict it?

Whoever may have written the circulars, Dr. Simarro has shown conclusively that they date from the first two years of the century, and can have nothing to do with the events of July, 1909. It is not denied that all three papers proceed from the same source and are apparently of about the same date. Therefore, when we find in them an explicit attack upon a "so-called Union" which was demanding a reduction of £4,000,000 in the budget, and when we know that this Union was formed in 1900 and dissolved in 1902, we can readily understand that the document, as Ferrer put it, "avait l'air très vieillotte." Moreover, when we find

the writer saying, "Pay no attention to those who tell you that this programme is the work of the Government, of the police, or of the enemies of the proletariat," we cannot but feel that this proletarian doth protest too much, and has all the appearance of a police spy.

This interesting group of documents was published in *La Vanguardia* of Barcelona on September 11, "with a view to protesting against the attitude of a certain portion of the foreign press" in regard to Ferrer. Of course it at once went the round of the papers, and still figures in the forefront of all orthodox accounts of the case.

XXI

VERDICT AND EXECUTION

THE result is known to all the world. On Saturday the 9th the Council of War, having in a single morning heard all the evidence and pleadings in the complex cause, devoted the afternoon to hearing, in secret session, the Assessor's indictment, and then, in secret, passed sentence of death. The next step was for the Auditor to write his report upon the sentence before sending it up to the Captain-General; and the Captain-General had to send it, fortified with his approval, to the Government in Madrid. Spain is sometimes thought to be a country of dilatory habit; but here the promptitude of all concerned was nothing less than miraculous. The Auditor wrote this "dictamen" of 7500 words in a single day, Sunday the 10th —a very remarkable feat;[1] and in two more days the Captain-General and the Government had satisfied their consciences of the justice of the sentence.[2]

[1] In fact, quite incredible. I do not think we can resist the conclusion that the Auditor anticipated the sentence, and had the greater part of his "dictamen" prepared in advance.

[2] *La Mañana* of January 25, 1910, published two letters said to have passed between Sr. Maura and Sr. Moret, the leader of the Liberal opposition. As their authenticity does not seem to be established, I relegate them to a foot-note. But, if forgeries, they are certainly very plausible. Sr. Maura's letter runs thus: "The Council of War in Barcelona has passed sentence of death upon Ferrer. The sentence was unanimous, and has been approved by the Supreme Council of War and Marine, which finds no fault

About three in the morning of Monday the 11th, Ferrer was removed from the prison to Montjuich: a step which showed that his fate was already sealed. On Tuesday evening a cabinet council was held in Madrid, ending at about half past eight; and, almost at the same hour, Ferrer was taken to the office of the governor of the fortress, where the Examining Commandant, Valerio Raso, read to him the sentence of death. He received it with perfect calm, and signed the paper—like the receipt for a registered letter—with a firm hand.

If ever man showed his ruling passion strong in death it was Francisco Ferrer. Though he cannot have doubted that his transference to Montjuich was ominous, he was no sooner installed there then he set himself to write what proved to be his last thoughts on his one absorbing theme, in a paper headed—

EDUCATION: FOR SOLEDAD.

It is dated October 11, and opens thus—

The man was right who, being asked at what age the

either with the legality of the procedure or the penalty imposed. Nevertheless, and particularly through our Ambassadors in Rome and Paris, the Government is aware that the sentence will provoke much censure and give rise to great protests. The Government also know that the Anarchists who sympathize with Ferrer will promptly make tremendous reprisals. The Home Secretary and myself have received an endless number of anonymous threats, which are also confirmed by the police. If these threats only related to my person I should take no notice of them, as I am ready to face every danger, and even death, rather than fail to carry out the high duties and responsibilities of my office. But these threats, as is confirmed by the confidential information from the police, affect one who is superior to all. His Holiness Pius X. has telegraphed to the King imploring mercy for the criminal. His Majesty seems inclined to grant it. The Government is unanimous in its opinion, but thinking of the King, I do not wish to face all the consequences of the execution without taking your opinion." Sr. Moret is represented as having answered: "I think you must not recommend the King to exercise the Royal prerogative. The Government must order the sentence to be carried out. To act otherwise would be a surrender of all the attributes of virility."

education of a child should begin, replied "From the moment of the birth of his grandfather." He did not even exaggerate; for we carry with us from our birth so many atavistic faults and prejudices, that, if we want to trace them to their origin, we should have to go much further back than two generations.

This consideration ought not, however, to influence education any further than in impressing upon us the importance of a very great patience, seeing how gradual is every modification in the moral state whether of masses or of individuals. . . . Let us not forget, as we make a beginning in modern education, that its results can only be relative in the first generation, but that, as it is continued from generation to generation, a day will come when parents and teachers find the soil well tilled from the outset, as the children will have begun to be educated from the birth of their grandparents.

[He goes on to insist on the fundamental importance of two things: physical hygiene and the relations of children with their comrades.]

The physical hygiene which we recommend is that which is urged on us by the greatest hygienists and sanctioned by experience. It ought to begin with daily baths. Unfortunately . . .

Here, it would seem, he was interrupted on the 11th; and next day he winds up—

"I cannot continue, they are taking my life. F. F."

Probably this was added after he had written the following letter—his last—also addressed to Soledad Villafranca. I omit a couple of paragraphs which are unimportant, and one or two phrases too intimate for cold print—

Fortress of Montjuich,
Barcelona. 12/10/1909.

My impressions of this new abode are excellent. The Governor-General has been very amiable, and has installed me in the best cell in the fortress. The officers and the soldiers themselves are polite and full of attentions for me. That is why I am much better off here than at the Celular.

I have a clean and fresh room with so much sun and air that, if only you were here, I should want nothing more.

But, you may say, do you never think of the death which the Prosecutor demanded for you, and which your enemies desire? Not at all, my wife, not at all. Who could think of death in so much, and so brilliant, sunshine? Blessed be the sun that is the light of my chamber, and you too, Sol, who light up my soul and my conscience, for the love of the truth and the desire of good with which it is filled! No, I have no time to think of death; I will think only of life, of the life which we shall live anew when I have obtained justice; for one day justice will be done me. I will think only of Mongat, of the books of the Escuela, of the new scope that will be given to the cause of rational education, and of the immense happiness that will fill our life.

* * * * *

Do not suffer, my life, or let your companions in exile suffer, in thinking me ill or unhappy.

Never was a prisoner defended as I was.[1] For my Defender pleaded not only my cause, but also that of our dear Escuela Moderna and our educational work, with such ardour and passion that I assure you, my Sol, that I could die contented, sure that my work, which is my

[1] It is not true that Captain Galcerán was arrested or suffered any professional detriment by reason of his defence of Ferrer; but there is good reason to believe that his arrest was at one time contemplated.



life, will not die. And so long as my work lives, what does my death matter?

Tell me, did you read the defence published in *Las Noticias* which I sent you? Did it make you weep? Did they weep, the others, in reading it? For my part, yesterday, when I saw my Defender, I told him how great had been my emotion in read . . . Here, my beloved, the arrival of the Commandant, Valerio Raso, interrupts me. He comes to tell me that I am to be placed *en Capilla*, and . . . In my letter of yesterday I already bade you farewell. *Te amo y amo á cuantos me amaran.*

F. FERRER.

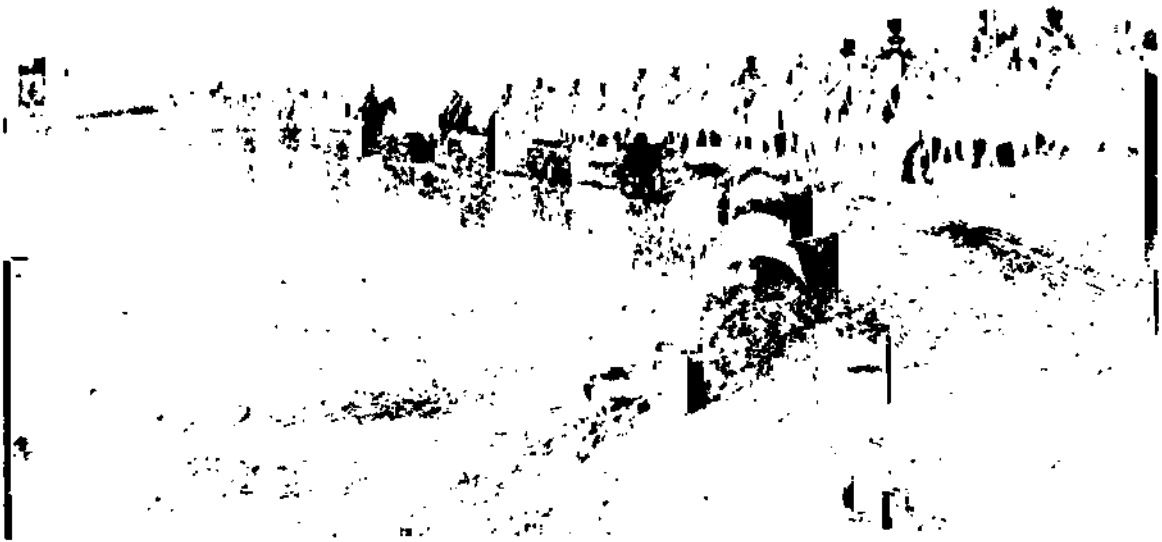
I shall attempt no comment on this letter. The reader may believe if he can that it is the work of a hypocrite wearing his mask even in his last words to the woman he loved.

The sentence having been read to him, he was conducted *en Capilla*, into a (apparently improvised) mortuary chapel. Over the altar was an image of the Virgin surrounded by tapers. He asked that it might be removed, but the request could not be granted. All night he was surrounded by priests of various orders, pressing upon him their ministrations. These he declined firmly but without asperity, and passed the greater part of the night walking up and down the chapel and dictating to a notary a long and highly detailed will.

He began by protesting his "total innocence" and "affirming that ere long it would be publicly recognized." Then he deprecated, at any time whatsoever, any religious or political manifestations or observances over his remains. "I desire," he said, "that my friends shall speak little of me, or not at all; since in eulogizing men we create a sort of idol, which is a practice hurtful to the future of

humanity." He appointed as his executors Cristóbal Litrán and William Heaford. To each of his three daughters he bequeathed the sum of 6000 pesetas (£240) to which they were entitled by the law; but he enjoined them to waive their claims to this money, as he regarded his property as a trust conferred upon him by Mlle. Meunier for the propagation of his ideas. To Soledad Villafranca he bequeathed 100 shares in the Fomento de Obras y Construcciones, and the furniture and appurtenances of their rooms at Mas Germinal. His (heavily mortgaged) house in Paris, his publishing-house and stock in Barcelona, 600 shares in the Fomento de Obras y Construcciones, and 432 shares in the Sociedad Catalana de Crédito, he bequeathed to his friend Lorenzo Portet of Liverpool, in trust to carry on, in various ways, his educational and propagandist work, specifying, among other things, that translations should be published of the English books issued by the Moral Education League, with which (as we have seen) he was occupied during the days before his arrest. Portet was further enjoined, if any of Ferrer's family (including his son Riego) should fall into want, to succour them out of the funds thus devised to him. For the rest, his brother José was appointed residuary legatee, and failing him, his wife Maria Fontcuberta.

The dictation of this will occupied about seven hours. It was nearly six in the morning before it was finished. All the time, the clergy hovered round, offering, it is said, not only spiritual but physical ministrations, in the shape of wine, coffee, tobacco; but even these Ferrer declined, saying that he had supped well before entering the chapel. At a very early hour, probably about seven, Captain Galcerán arrived at the fortress and remained with Ferrer



WALLY LEAVING MONTECITO AFTER THE EXECUTION

to the end. At half-past eight a squadron of cavalry formed a square in the trench of the Santa Eulalia bastion; and at a quarter to nine Ferrer was summoned to the closing scene. His worst enemies admit that he faced death with serene courage. The morning was grey and chill. He saluted "without affectation" those whom he passed on the way to the place of execution. Arrived on the spot, he asked to be allowed to stand, instead of kneeling, and to have his eyes unbandaged. After some consultation, the first part of his request was granted, but the second was refused, on the ground that "traitors are not permitted to see their executioners." On facing the firing party, he cried, "Aim well, my sons! It is not your fault. I am innocent. Long live the Escuela——" Three bullets in the brain cut short the phrase.

The request of his family that his body might be handed over to them was refused; but by especial favour, his mother and nephew were permitted to see his horribly disfigured remains before they were consigned to the *foso comun* of the new cemetery, on the southward flank of Montjuich. There they lie, in a bare red gravel-pit hewn out of the hill-side, and crowded with graves, most of them marked by a triangle, but a few by a cross. The triangle denotes a freethinker, the cross a spiritualist.

When the Cortes met, two days later, the Ministry could point, not only to a *chose jugée*, but to a *fait accompli*.

XXII

THE CASE SUMMED UP

EXCEPTING some of the villagers and one or two subordinate policemen,[1] I doubt whether any one concerned in the affair acted in deliberate and conscious bad faith. It is quite unnecessary to suppose so. We have all the materials for a judicial crime, in a law carefully designed to give the accused no chance, administered by a band of puzzle-headed and prejudiced soldiers. Lawyers' law is not always synonymous with justice, but it is always preferable to soldiers' law. I have given sufficient specimens of the sort of evidence gravely propounded to and accepted by the Council of War; but if the reader wishes fully to realize the solemn absurdity of the whole proceedings, he must carefully study the "dictamina" of the Prosecutor, Assessor, and Auditor, translated, practically in full, in the Appendix.

I reject, then, the theory of any criminal conspiracy against Ferrer. Malignant stupidity, coupled with the absence of the most rudimentary sense of fair play, is sufficient to account for all that occurred. But certainly it has a good deal to account for: the arbitrary banish-

[1] Ferrer accused the police of having attempted to suborn his farm-servant to give evidence against him. As a matter of fact, they tried to bribe the man to betray his master's hiding-place—a legitimate proceeding, from their point of view. On the other hand, I think there is little doubt that they "found" the type-written document—where they had placed it.

ment of all Ferrer's friends; the studied neglect to call for their evidence; the pettifogging refusal of that evidence when offered; the wantonly harsh treatment of the untried prisoner; the abstraction of his clothes and personal property; the publication (in papers under strict censorship) of compromising documents which, whether genuine or not, should never have left the secret portfolio of the Examining Commandant; the rewards ostentatiously showered on the heroes who had arrested an unarmed and unresisting man; the violent haste with which, from the moment the "incommunication" was relaxed and the Defender chosen, the whole complex case was rushed to its conclusion; the eager acceptance of every second-hand whisper to the detriment of the accused, and the rejection of every favourable testimony to character; the neglect of even the scanty opportunities provided by the law for the public examination of witnesses; the spiriting away of one important witness, and the release without trial of others—all this would give the case a dark and sinister complexion, even if the evidence were ten times stronger than it is. But this is not villainy, not Jesuitism; it is plain, downright stupidity. Having an iniquitous law ready-made to their hands, his enemies could have shot Ferrer quite as comfortably if they had observed the law in every detail, had treated him with scrupulous consideration, and had left his captors unrewarded, at any rate until after his conviction.

The haste alone was necessary, lest, when the Cortes met, awkward questions should be asked. But the haste was the greatest stupidity of all, for it meant the suicide of the Ministry. The Cortes assembled on October 15. Three days later the Liberal leader, Sr. Moret, delivered a vehement attack on the Government of Sr. Maura; and

though Maura and La Cierva, the Minister of the Interior, made a fierce fight, three more days sufficed to drive them from office. They resigned on October 21, just eight days after the death of Ferrer. It is true that the Liberal attack was based on their general mismanagement, the alternate impotence and violence of their conduct, rather than on the Ferrer case in particular. Sr. Moret, when challenged to say whether he himself would have pardoned Ferrer, made no answer; and if the letter quoted on p. 236 is genuine, we have no difficulty in understanding his silence. But whatever may have been the attitude of the official Liberals towards Ferrer, and whether that attitude was straightforward or not, there is not the least doubt that the execration of Europe, with which in those days the air was ringing, was the main factor in Maura's fall. The Government were forced to admit Moret's contention that "their unpopularity at home and abroad was a danger to the country."

I am not at all sure that, had Ferrer been fairly tried under reasonable rules of evidence, he would have got off scot-free. He was certainly not the "author and chief of the rebellion"; that accusation was a monstrous absurdity; but it is not quite clear that his irrepressible sympathy with every form of revolt may not have betrayed him into one or two indiscretions. What is perfectly clear is that it was not the crumbs of good evidence against him that led to his condemnation, but the mountain of bad evidence, to most of which a rational court of law would have refused to listen for a moment. The ultimate truth, when we get to the roots of things, is that he fell a victim to a simple equivocation—a play upon words. His accusers, his judges, all the witnesses against him, from the villagers of Premiá up to the Prosecutor of the Supreme Court

(whose opinion, *siempre valiosísima*, was practically accepted as evidence), were profoundly convinced that he was *morally* responsible for the revolt—that he was, through his opinions and teachings, the *moral* "author and chief" of the "Revolution." But the law had unfortunately omitted to make such "moral" authorship a capital crime, so it was necessary to allege efficient and actual authorship as well. Constantly and quite plainly, we see the minds of witnesses and advocates shifting from the one ground to the other, and back again. The most flagrant instance, perhaps, occurs in the "dictamen" of the Auditor (*Process*, p. 312); but the insidious fallacy is traceable at many other points in the official documents, to say nothing of the writings of conservative and clerical apologists for the sentence. Many of these, indeed, practically abandon any other plea than that of "moral" responsibility.

Is the plea just in itself? In law it cannot be good, not even in Spanish law. But is it defensible on grounds, so to speak, of equity? I have already discussed this point, and shown the absurdity of supposing that Ferrer's educational work could possibly count for more than a drop in the bucket of popular anti-clericalism. I do not think that any one who sincerely examines the situation can doubt that the revolutionary temper of Barcelona would in all probability have been very much the same if Ferrer had never been born, or had never established the Escuela Moderna. Partly sincerely, and partly out of malice, his enemies enormously exaggerated his influence outside his own little school. We hear of his "endowing" the other laic schools of Barcelona and Catalonia, which is the merest nonsense. He had barely money enough for his own particular enterprise. The "millions" which he

devoted to subsidizing other schools existed only in the clerical imagination. At most he supplied some of them with books on credit, and was not very strict in exacting payment. That his energetic example gave a certain impetus to the movement for Republican and rationalist education is, of course, true; but the movement existed before he came on the scene, and would doubtless have continued, more or less vigorously, even if Mlle. Meunier had left all her money to the Church which was so sadly disappointed of it. The chances are, no doubt, that some ex-pupils of the Escuela Moderna, or of similar institutions, joined the rioters; but I am not aware that the fact has been proved in any single instance; and it has certainly not been proved in sufficient instances to show that the educational movement appreciably contributed to the excesses of the mob. At all events, no atom of proof to this effect was before the Council of War. The Auditor, in his "dictamen," speaking of the disturbances in the smaller towns of Catalonia, said that "the names of the chiefs and principal instigators of seditious acts correspond with those of teachers placed by Ferrer in particular schools, or of chiefs of anarchist centres which depended on the accused." A wilder assertion can seldom have been made in any document put forward by a responsible official as part of a serious legal process. No proof is alleged, and assuredly no proof existed, (1) that the teachers had been appointed by Ferrer, (2) that Ferrer had anything to do with the anarchist centres, (3) that the coincidence of names meant identity of persons. To any one who knows how excessively common Spanish surnames are apt to be, the last assumption must seem almost impudently absurd.

The exact influence of the Escuela Moderna it is of

course impossible to measure; but even if I somewhat underestimate the diffusive power of Ferrer's teaching, it remains grotesquely disproportionate to single it out as the mainspring of the revolt.

There is nothing to show that Ferrer had a genius for education in any large and liberal sense of the term. He conceived it simply as an instrument of propaganda, a weapon of social and economic enfranchisement. Like every one who is firmly possessed by a dogmatic creed, he was eager to catch the young idea as it sprouted, and train it according to his preconceptions. He knew that "just as the twig is bent the tree's inclined"; and he had no idea of letting the tree grow freely, to be blown upon by all the winds of the spirit. A world in which there should be no teaching but that of the Escuela Moderna, would be a strange, stunted, lop-sided affair. It would, in fact, be the world of an uneducated man, fascinated by the grandiose generalizations of a particular phase of scientific thought—a phase which is wavering and changing before our very eyes. But though Ferrer undoubtedly attributed to his educational principles a world-wide validity, and would not in the least have shrunk from taking office (had it been offered him) as Minister of Education for the Republic of Mankind, it is not fair to make his deficient sense of proportion a reason for applying to his work the standard of universal validity. The question is not whether all schools should be Escuelas Modernas, but whether the Escuela Moderna was a good school as compared with others of its grade in Barcelona and in Spain. To this question there can be but one answer from all who believe in, or care for, education as a means of enlightenment. The light which spread from the Calle de Bailén might be harsh and

untempered, but it was light and not darkness. It lit up only one side of things, and it threw unnecessarily harsh shadows; but it was clear and honest so far as it went, and was therefore hated by the powers which flourish only in and through the exclusion and negation of light. Ferrer's thought was crude, and his methods, though they sincerely aimed at modernity, seem to have achieved it only with large reservations. The way to combat his influence, such as it was, would have been to make the official schools hygienic and efficient; or if that was impossible, then to start new schools which should compete with his in modernity of method, while demonstrating the virtues, instead of the vices, of monarchism, clericalism, militarism, and capitalism. After all, there were thousands of individuals in Barcelona—to say nothing of the religious orders—who were far richer than Ferrer. If he, with his one poor "immeuble" in the Rue des Petites Écuries, could set up such a panic in the hosts of orthodoxy, what might not these hosts, with all their resources, have done to counter his movement in fair fight, on the educational territory which they claimed as their own! Quite amazing is the poverty of resource which can combat such thought and such methods as Ferrer's only with the gag and the garotte.

As to Ferrer's character, not much remains to be said. I have done my best to place the reader in a position to form his own judgment. Fragmentary though they be, the utterances which I have quoted form a pretty complete self-revelation. From first to last, we see in him an ardent, uncompromising, incorruptible idealist. His ideals are narrow, and his devotion to them is fanatical; but it is devoid, if not of egoism, at any rate of self-interest and self-seeking. It is these vices, combined with cowardice,

in the political associates of his early days, that alienate him from political and revolutionary agitation. If the 1892 manifesto be all genuine, we see that he was at that time prepared to lead a forlorn hope against oppression and exploitation, and to baptize liberty in a torrent of blood. Perhaps it was the scant response elicited by his scheme of mad self-immolation that began, or hastened, his disillusionment. His manifesto, indeed, was never issued; but that was probably because he discreetly felt the pulse of the men he had in view, and found that it did not throb with exultation at the thought of dying like "sons of the Cid" in such a hare-brained attempt. At all events, like most of the great idealists of the past century, he came to feel that the first and fundamental revolution, without which all others must be futile, was a revolution in the spirit of man. As the particular section of mankind from which he sprang, and which he was best fitted to influence, happened to be either illiterate or educated solely in obscurantism, he naturally bent his mind to amending that primary condition. Being himself, moreover, ill-educated, he found disproportionate comfort and assurance in a particular set of scientific doctrines which he accepted as the last word of sublunary wisdom. When these doctrines should be brought home in their purity to the human mind, he nothing doubted that the millennium would be upon us; consequently he set himself with whole-hearted and unquestioning ardour to the promulgation of the faith that was in him. Like all ardent proselytizers, he had little sense of humour, though enough to smile, now and then, at his own incompressibility. Very characteristic is the picture he draws of himself sitting, bound with galling cords, at the town house of Alella, and calmly endeavouring, all the night through, to sow the good seed among

his captors of the *somaten*. It is curious how, in a Catholic country, we find this Puritan of free thought acting very much as did the Puritans of Protestantism at the Reformation, and as some of them would like to do to-day—covering his head in the presence of the Host, converting a carven cross into a mere bar, deprecating the mute presence of the Virgin during the last vigil of his life. And while there is in these traits an ostentation of protest, we cannot but see in some others a pedantic self-suppression. For instance, he will not sign his name upon the menu of a dinner, because the treasuring of a signature is a form of idolatry; but he will write moral maxims instead, such as "L'union fait la force." A similar trait is the prohibition in his will of harmless and inevitable hero-worship—it shows a passion for trimming human nature down to the strict requirements of a somewhat niggardly rationalism. But in all this he was absolutely and limpidly sincere. It was the pedantic excess of a very real quality—the complete impersonality of his ardour. As he shrank from applying the money entrusted him to ends of personal luxury, so also he shrank from making his ideas and convictions subserve any personal ambition or vanity. So far as his name formed a rallying-point for his co-religionaries (as they may quite accurately be called) he was willing that it should be used to that end; but he was wholly innocent of any pontifical pretensions. He was the most genuinely unambitious of men; and there is nothing baser or stupider in the pronouncements of his accusers than their attempt to wrest his wish to remain "in the shade" into a cowardly endeavour to lurk unseen, while sending others forth to commit crime and incur danger. To make Ferrer a coward was to exceed the limits of permissible density.

On his relations with the three women who successively entered into his life, the reader must pass judgment for himself. Perhaps his wiser course will be rather to suspend judgment, unless he deems himself able to read the secrets of a dead heart and of three living ones. Two of the three women I know, slightly indeed, but sufficiently to respect them, and to feel that their characters shed no unfavourable light upon the character of the man whose life they shared. The legend of Ferrer's parental heartlessness, is, I hope, finally disposed of in the foregoing pages, for all persons who are accessible to evidence. This book would be considerably longer had I gathered up all the proofs that he was a man of warm family feeling. I shall never forget the simple earnestness with which José Ferrer said "No two brothers live like he and me." So far as anything is certain in this world of accidents, it is certain that Ferrer would be alive to-day had he not responded instantly, and at no slight personal inconvenience, to a call of family affection. Nor was his enthusiasm for humanity of that order which chills at the contact with individual fellow-men, beyond the family circle. His inveterate habit of conversational proselytism could scarcely have been contracted without a certain power of getting into human relations with strangers. Of the personal attachment with which his friends regarded him, I have had numerous and convincing proofs. One little trait will show the kindliness of his disposition. His friend William Heaford he had long known by correspondence, but had never seen until his last visit to England in the spring of 1909, when, after several other meetings, he passed an evening at Mr. Heaford's house. Five months later, at the end of his last letter to Mr. Heaford from the Carcel Celular, written four days before his trial and

eight days before the death that he knew to be hanging over him by a thread, he wrote: "Merci bien, mon cher ami, et excusez moi. Je pense à Madame, à Arthur, et même à Pickle. Oh! nous nous verrons à Thornton Heath et à Frascatti[1] aussi." Pickle is the Heafords' dog.

At the same time, whatever we may find to admire in Ferrer, it would be foolish to class him either with the sages or with the saints. He was not a genius; he was not an original or penetrating thinker; he was not a man of great personal magnetism or conspicuous beauty of character. What, then, makes him interesting? What glorifies and exalts a personality in itself not very far removed from the commonplace? What but the fact of his death? It is his enemies that have enabled him to display the true greatness of his character, and have thrust immortality upon him. First the Madrid trial secured him a certain measure of fame; but it was still restricted to people who took a special interest in rationalist and humanitarian education. Had he then been left in peace to pursue his publishing schemes, and even to re-open the Escuela Moderna, he might have gone to the grave twenty years hence, leaving behind him, among the Latin nations, a certain repute as an educator, but certainly nothing like world-wide fame. His whole life-work would have done less damage to Spanish Catholicism than the mere mention of his name does to-day. For by dragging him through a travesty of trial, to a plainly unmerited doom, his enemies gave him an opportunity of showing to all the world his one supreme virtue —a high and unflinching courage. His dogmatic rationalism was a somewhat arid creed, but in his death he touched

[1] The Frascati Restaurant.

it with emotion. His executioners, from Sr. Maura downwards, conferred on him a patent of undying nobility. The man who wrote his letters from prison, and who faced the great enigma—to his mind no enigma, but night and nothingness,—with such serene, unfaltering resolution, is certainly not the least among the victims of obscurantism, the martyrs of free thought.

APPENDIX

THE OFFICIAL REPORT OF THE TRIAL

NOTE

THE following pages contain a literal translation of the official documents of Ferrer's trial, as issued by, or with the consent of, the Spanish Government. Large numbers of the pamphlet (printed by the "Impresores de la Real Casa") are said to have been gratuitously distributed by the Ministry of the Interior.

The whole text is given, except a few paragraphs of purely legal argument. Not a word of anything purporting to be evidence is omitted. In the translation, elegance is everywhere subordinated to literal accuracy. I have not been at pains to make the present rendering verbally identical with quotations in the foregoing text, as there seemed to be no harm in giving alternative versions of important passages.

I have resisted the temptation to throw into relief the absurdities of the case for the prosecution by the use of italics and other typographical expedients. The italics in the text are those of the original. But I have printed in capitals the words "AUTHOR and CHIEF of the rebellion" wherever they are applied to Ferrer, in order to make it abundantly clear that it was in this character, and no other, that he was found guilty and executed.

ORDINARY PROCESS

CONDUCTED BEFORE THE MILITARY TRIBUNALS
AT THE STATION OF BARCELONA
AGAINST
FRANCISCO FERRER GUARDIA

CASE FOR THE PROSECUTION BEFORE THE COUNCIL OF WAR

DON JESÚS MARIN RAFALES, Captain in the 57th Infantry (Vergara Regiment), acting as Prosecutor in the proceedings against Francisco Ferrer Guardia, before the ordinary Council of War of the station, says—

Having been entrusted, for no merit of my own, with the duty of representing the law at this juncture, I come before the Court entirely unprejudiced, and with the sole aim of studying reality, of whatever nature it may be, and such as it may appear from the records of the process. I shall remain, as every member of the Council of War will assuredly remain, uninfluenced by the gloomy retrospect of late events, and by the popular voice, which, though sometimes styled "Vox Dei," yet, having no other guide than instinct, however sure that may be on many occasions, lacks a basis of reason upon which to found itself.

"In stern, judicial frame of mind,
From bias free of every kind,
This trial must be tried."

The frightful spectacle of conflagration and pillage reigning in

this capital; the cruellest sectarian passion felling the priest, wounded to the death, at the foot of altar, or wresting from the nun the flower of her purity in the solitude of the cloister; the most shameful treason disintegrating the forces of that Army whose duty is to defend the honour of the nation, and to punish the murder of our countrymen on African soil; all this compelled us to adopt active measures of repression, to repulse force by force in the streets with all necessary energy; for all this, had it not been exclusively the work of a few criminals, would constitute a standing disgrace to the nation at large and to this district in particular. But, quiet once restored, the Courts once enjoined to fix responsibility and to re-establish order and justice, no voice can be heard but that of the Law's majestic serenity.

"The priest" and "the nun" seem to refer to an indefinite but large number. In fact, three priests lost their lives, none of them "at the foot of the altar"; and the sole alleged outrage on a nun is probably mythical. See p. 137.

And now, in entering upon the execution of my duty, and while I endeavour to fulfil it with all the conciseness and brevity compatible with the character of the subject and the practice of military procedure, I feel it necessary to make one preliminary remark, arising out of the origin of the present proceedings. It is this: since the case now in hand has branched off from that upon which Commandant Don Vicente Lliviana is engaged, with the object of ascertaining the causes of the revolutionary movement, and of discovering its authors and instigators, we are not now investigating the burning of a particular convent, nor an explosion at this point or that, nor the destruction of one or another section of telegraph-wire, nor the identity of those who built such-and-such a barricade, or fired from it upon the troops. No; in this case, as in that from which it springs, we are probing the revolutionary movement to its hidden entrails; we unravel the causes which gave it life; we seek out the authors who prepared it, set it in motion, and sustained it; we gather into one great synthesis all the particular facts which compose it, in order to consider it as an organic and homogeneous whole.

Confession that not a single overt act of violence or illegality can be brought home to Ferrer.

The facts! Why enumerate them? You have all been eye-witnesses of the greater part of them, and assuredly of the most serious, those, namely, which took place in this capital, whence the movement spread like a train of gunpowder to the minor towns of this province and that of Gerona. All, or nearly all, of you must have taken a more or less active part in their repression, from the time when, on the 26th of July last, the ostensibly peaceful protest against the embarkation of troops for Melilla was initiated, until the time when, swept by fire or riven by dynamite, the walls of churches and convents crumbled to the ground, when the volleys aimed at you from roof and barricade were quelled, and when the mournful silence of subdued rebellion followed upon the groans of the victims, upon the blasphemies amid which those savages, drunk with blood, dragged bodies forth from their tombs, and upon the vile slang with which repulsive prostitutes, before selling their endearments, accompanied their hyena-like ravages.

"The Law's majestic serenity" must not be disturbed by any "gloomy retrospect of late events" or appeal to vindictive passion.

How, when such facts as these have occurred before our eyes, can there be any question of requiring proof of their existence? We can all, as I said before, give ocular evidence; the ruins of the shattered edifices remain to add their testimony; the cry of "Long live the Republic" yet rings in our ears; still, on the fronts of many buildings, the bullet-marks plainly score their impassive accusation.

[Here follows a technical argument as to the legal definition of the disturbances, with the object of showing that they rightly fall under the head of "military rebellion."]

I have expounded and justified our qualification of the facts. Let us proceed to do the same with regard to the accusation which we are formulating against the prisoner, Francisco Ferrer Guardia, as CHIEF OF THE MILITARY REBELLION. The Court will excuse us if the copiousness of the evidence brought together with praiseworthy zeal, activity and intelligence, by the Examining Magistrate in the case, obliges us to claim its attention for some little time.

The accusation formulated.

To this end, we must in the first place define what is meant by the word "chief." The "chief" is the man who is in command, who is the superior, the head; the man who assembles people, who impels and directs the rest; the man who lifts up his voice, who points out the aim of the rebellion, who procures, apportions and distributes the means that lead to its attainment. If this is the character of the "chief of a rebellion," is the definition applicable to the share which Francisco Ferrer Guardia took in the events of July, on the showing of the evidence set forth in the records? Assuredly yes, and we shall proceed to prove it.

Definition of "chief of a rebellion."

The charge already begins to shape itself in this sense with the deposition of the Lieutenant-Colonel of the Guardia Civil, Don Leoncio Ponte, who, as appears at folio 26 (back), indicates Ferrer as taking an active part in the movements of Masnou and Premiá, and ordering his partizans to repair to Barcelona to defend their brothers. This military commander considers that the Fraternidad Republicana of Premiá seemed to be the headquarters of the incendiaries and seditionaries.

FIFTEEN WITNESSES.
(1) *Colonel Ponte "indicates" and "considers." See pp.* 78, 196.

The charge acquires greater precision (folio 30, back) in the statement of the journalist, Don Manuel Jimenez Moya, an unexceptionable witness, inasmuch as he has been banished to Majorca on account of the exaltation of his ideas. He says that in his opinion, the rebellion originated with the Solidaridad Obrera, where a secret meeting had been held, and whence delegates subsequently set off for various districts; and he indicates Ferrer, and his associates of the Antimilitarist League, as the directors.

(2) *Jimenez Moya gives his "opinion" and "indicates." He was not in Barcelona during the riots. See p.* 196.

Councillor Don Narciso Verdaguer Callis (folio 31) continues in the same strain, affirming that, according to information, which he has no means of checking, but believes to be accurate, the events arose through

(3) *Verdaguer Callis, from information received, "continues in the same strain."*

the initiative and guidance of more or less anarchist elements, impelled and directed by Ferrer Guardia and a young teacher of languages named Fabre.

Even greater precision is given to the charge in the evidence of Don Juan Alsina Estival, Councillor of Premiá, who in his first declaration (folio 77) establishes the serious turn taken by events in that locality after Ferrer's arrival at the village and his conference with the Alcalde; and in the evidence of this witness's neighbours, Don Juan Comas Alsina, who, at folio 161, affirms that rioting began one hour after Ferrer's departure; Don Valentín Alonso, Lieutenant of the Carabineers (folio 162, back), who points out that from the moment of the prisoner's arrival events assumed a different aspect from that which they had previously worn; and Don Adolfo Cesa Moragas and Don Pablo Reig Cesa, who maintain (folios 214 and 216, back) that after the conference with Ferrer the revolutionaries changed their attitude.

Various villagers (4, 5, 6, 7, 8) "*establish*" *the serious turn taken by events at Premiá,*

"*after Ferrer's arrival,*"

"*one hour after Ferrer's departure,*"

"*from the moment of his arrival,*"

"*after the conference.*" *Note that Ferrer conferred with no "revolutionaries" save the prosecution's own witnesses.* *See p.* 199.

Evidence of the same tendency as regards the Solidaridad Obrera is given by Don Emiliano Iglesias, Councillor of Barcelona, though in very vague terms, since he only says that he believes the Solidaridad spent more money than it possessed; but to make up for this, the information is confirmed by a witness of more than ordinary weight, namely Baldomero Bonet, the defendant in the prosecution instituted for the burning of the Conceptionist Convent, against whom, it appears, serious charges are pending. He says, in his examination in the aforesaid case, certified at folio 370 of the present proceedings,

(9) *Iglesias* "*vaguely believes.*" *See p.* 197.

(10) *Baldomero Bonet* "*believes,*"

that he believes the occurrences took their rise in the Solidaridad Obrera, and that, as the Solidaridad does not abound in resources, he shares in the general idea that the person who furnished them was the noted anarchist Ferrer. That examination he ratified at folio 371 of these proceedings, adding "he confirmed his opinion, because he could not conceive that any other element could have been the cause of the events."

"shares in a general idea,"

and "confirms his opinion."

The same current of accusation against the Solidaridad Obrera, and against Ferrer as its director, is sustained in the deposition of Don Modesto Lara, First Lieutenant of the Guardia Civil (folio 210), and in that of Don Alfredo García Magallón, First Lieutenant (retired) in the Artillery, who, describing his meeting and conversation with the journalist Pierre, of *El Progreso*, says (folio 480), that that gentleman asserted on his part, as something he had heard said, "that the occurrences of July were of an anarchist character, and initiated by the Solidaridad Obrera, under the direction and absolute control of Ferrer."

"Current of accusation sustained" by (11) *Modesto Lara.*

(12) *García Magallón "heard that Pierre had heard . . ."* *See p.* 198.

And if this were not enough, Juan Puig Ventura, surnamed *Llarch*, tells us on this particular point—besides other matters of great interest which we shall examine later—in his first two declarations (folios 24 and 76, back), that "he believes the instigator of the whole to have been Ferrer," since the excesses committed are consistent with that person's subversive ideas, and with the bonds which attach him to members of the Solidaridad Obrera, whose anarchist leanings are pronounced.

"If this were not enough" (13) *Puig, surnamed Llarch, "believes."*

Don Domingo Casas Llibre, Alcalde [of Premiá], who held a conference with Ferrer, as we shall see later, and who was prosecuted for the events in that village, indicates in his declarations (folios 138 and 305) that he formed the opinion that Francisco Ferrer Guardia was the

(14) *The Alcalde "formed an opinion,"*

"directing element" of all the outrages committed in that neighbourhood; in which opinion also abounds Don José Alvarez Espinosa, Assistant Secretary to the Ayuntamiento of Premiá, who likewise had an interview with Ferrer, and was, like the previous witness, prosecuted for these events (folios 139 and 313). He affirms that he believes Ferrer to be "the real instigator and inspirer of the events of July."

in which (15) *his assistant secretary* "*also abounds.*"

Already, therefore, we have evidential proof by 15 witnesses indicating Ferrer as director of the occurrences. Some base the charge in part upon his relations with the Solidaridad Obrera, and the share taken by that society in the events, alleging their community of ideas, and even certain pecuniary aid; others display the prisoner personally in the said character, basing their statements on the events at Premiá and the acts of violence there committed, which had not occurred before his arrival in the village, and his conference with the Alcalde Sr. Casas, the Deputy Alcalde Sr. Mustarés, and the Assistant Secretary to the Ayuntamiento Sr. Alvarez Espinosa, but which began definitely a little while after he left—according to Don Jaime Comas Alsina, already quoted, something like an hour after Ferrer's departure.

As to the pecuniary aid, see pp. 162, 197.

See p. 198.

But I have still a clearer proof. The Most Honourable Prosecutor of the Supreme Court says that the events at Barcelona began with an ostensibly peaceful protest against the war and the embarkation of troops. This is true, but it is expedient to set forth the facts in detail. During the morning of July 26, it is certain that a protest began, becoming more accentuated in the evening; but it is to be noted that this protest was never spontaneous, either on the part of the populace at large, or on that of the working-class body in particular.

Don Javier Ugarte. See p. 164.

No attempt made to show a single act of preparation or leadership before the 26th, though he is admitted to have been shadowed by the police.

The proof of this is clear, inasmuch as the workmen did not abandon their work, but were compelled to suspend it, by the attitude of the groups who went around among the workshops and factories. The same applies to the tramway staff, who, as you will remember, on former occasions have assisted in strikes, but in this case did not leave their duty for one moment, so long as it was possible to perform it, showing genuine zeal in defending, sometimes at their personal risk, the cars which the crowds were attempting to seize, and giving way only in the face of a compulsion which they lacked the means to dominate.

See p. 127.

On the same evening, as already pointed out, events gathered greater impetus, and, just as at Premiá the witnesses point to the change which corresponded with Ferrer's presence, so here we may remark a similar phenomenon if we follow him step by step from the time when, on the evening of July 26, he left the railway station, the train service being interrupted, and repaired to the Plaza Antonio López in this capital, until the 29th, when we find him to have taken refuge in some house and quarter unknown, where, he says, he lay concealed until the day of his arrest.

The intention of the "author and chief" to leave the movement to look after itself, and return to Mongat, is accepted without comment.

In effect, Don Angel Fernandez Bermejo, the agent of vigilance who was told off to shadow Ferrer, tells us in his declaration at folio 481 that he saw him approach the groups of insurgents who, on Monday, July 26, at about 6 o'clock in the evening, were in the Plaza Antonio López, in this capital; that on one occasion when the groups were dispersed by a file of cavalrymen who were on the spot, Ferrer was in one of them; that after the dispersion he proceeded towards the Puerta de la Paz, until he arrived in front of Atarazanas [barracks] where also he stood talking with the persons who composed one of the groups; that he then went on up the Ramblas where, in a charge of the police force, the witness lost

The Police Spy testifies that Ferrer walked from the station to the Hotel Internacional, and spoke to one or two people on the way.

sight of him, but presently came upon him again in the same Rambla, by which he made his way to the International Hotel, the managing-clerk of which bore witness that Ferrer supped there, and said he did not know whether he should return for the night.

The witness Francisco Domenech, barber of Masnou, dovetails his declaration, so to speak, with the last: he says (folios 21 and 23) that he came upon Ferrer at half-past nine on the same evening (July 26) in a café underneath the International Hotel, that Ferrer invited him to enter, and that he accepted; that from there they proceeded to the office of *El Progreso*, to see, as Ferrer put it, "what the comrades were agreeing to do"; then to the Café Aribau; at this point, however, witness corrects himself in his second declaration, and says it was not at this café, but at another, at the corner of the Calle 'Aribau and the Calle de la Universidad, that they met Calderon, Ponte, Tubau, and Sr. Litrán and his wife; that Ferrer spoke with them, but that witness did not catch what they were talking about; that Ferrer afterwards proposed that witness should repair to the Calle Nueva de San Francisco, to the Solidaridad, to find out whether any of Ferrer's associates were there; that witness refused, and that Litrán volunteered to do it; that Ferrer and Domenech then returned to the office of *El Progreso*, and that, on coming out, Ferrer told him that he had not found the person he was seeking, adding that Iglesias and some others had not consented to sign a document he had with him, which was to be sent to the Government, demanding the discontinuance of embarkations for Melilla "since, in the opposite event, they would make a revolution, the signatories putting themselves at the head of the people"; and that Iglesias had said to him that it would be best to resume work, and had asked him on what forces he relied for what was proposed; that thence they intended to return to their homes; but that in the Calle de la Princesa

The Barber of Masnou relates the events of Monday evening.

The address to the Government. *See p.* 208.

Ferrer did not see Iglesias. *See p.* 197.

two persons stopped them, of whom one was named Moreno; that to him Ferrer said that at the office of *El Progreso* there were some representatives of the Solidaridad trying to come to an understanding with the radicals, who had up to that time declined; that he enjoined Moreno to return there to see if they were coming to an understanding, upon which Moreno replied that "they were already compromised," and, Domenech proceeds, Moreno added, "And woe to him who shall fail us, for we will do with him as they do with traitors in Russia!"

Meeting with Moreno.

Great as is the importance of these declarations, which bear witness to Ferrer's direction of the events of July 26, throwing into relief his LEADERSHIP and his impulsion of the movement, their importance is augmented by the declarations of Don Lorenzo Ardid, and troopers Claudio Sanchez Yugo and Miguel Calvo, of the Dragoons of Santiago.

His "leadership" is shown by his wanting to know what other people are deciding to do.

Ardid tells us in the certified copy of the declaration he made in the proceedings taken against him, appearing at folio 348, and ratified at folio 395A, that on Monday, July 26, he was taking coffee at the Casa del Pueblo, when Ferrer came in, gave him good-day, and said he wished to speak to him in private. "When you please," replied Ardid; whereupon Ferrer asked him, "What do you think about the events of to-day?" Witness replied, "It is all over, because it is a sort of protest which cannot go any further." Then Ferrer asked him again: "Do you think it cannot go any further?" Witness replied with energy, and Ferrer remained silent. Then Ardid turned his back upon him and approached one of the members, to whom he said, "Tell that gentleman" (pointing to Ferrer) "to go away quickly by the side door." Ferrer obeyed. The same witness adds that Litrán was sitting at the table with him, and that he suspects that Ferrer was one of the organizers of the

The incident of the Casa del Pueblo.

Question and answer.

For Ardid's own account o the incident, see p. 205.

events. This declaration is obviously important, not only in itself, but because Ardid persisted in it with extraordinary energy at his confrontation with the prisoner, which appears on folio 414. Ferrer, who had in his deposition denied that he had been at the Casa del Pueblo, was forced to yield the point, saying that he did not absolutely deny having been at that place, and that, as he wished to see Sr. Litrán, he naturally went there to look for him; at the same time, he had to admit that he recollected seeing Sr. Ardid on July 26.

On Ferrer's denial, see p. 205.

Troopers Claudio Sanchez and Miguel Calvo, for their part, corroborate the evidence of the agent of vigilance, Don Angel Fernandez Bermejo, as to what occurred in the Plaza Antonio López. They say (folios 484 and 485) that at about half-past five on the day aforesaid, the 26th, they came on patrol duty together in that square, and were struck by the presence in the groups of an individual dressed in a different way from the others, who seemed to be workmen, whereas this individual was wearing a blue suit, and a straw hat with the brim turned down over the forehead and up at the back; and as they were dispersing one group, this individual confronted Claudio Sanchez, and, pointing to the proclamation affixed to the wall, said to him "May one not read that?" The declarations of the two troopers are of obvious importance, not only for their intrinsic value, but also on account of the fact that both witnesses, on three occasions, among a circle of prisoners, identified Francisco Ferrer Guardia as the individual referred to in their depositions, as appears from folios 488 and 489.

Two troopers testify that Ferrer desired to read the Captain-General's proclamation.

The blue suit and straw hat. See p. 207.

As regards the following day, July 27, although Ferrer had returned to his house, Mas Germinal, in the early hours of the morning, arriving at Masnou in the company of Francisco Domenech, the witness above quoted—both of them having previously breakfasted at a café in Badalona—still Ferrer, it is known,

Tuesday the 27th.

This is a slip. Ferrer did not go to Masnou, but parted from Domenech at Mongat.

could not remain inactive; and in case the enthusiasm of his followers should abate, he seems to have thought his directorship and presence necessary in Barcelona. The proof of this is the declaration of Don Francisco de Paula Colldefons (folio 492). This gentleman affirms that on Tuesday the 27th, between 7.30 and 8.30 in the evening, he saw a group in the Ramblas, opposite the Liceo [Theatre], *captained*, mark this well, *captained* by a person who appeared to him to be Francisco Ferrer Guardia; he knew him only from a photograph, but acquired the certainty that this must be he by hearing it said by those who passed the spot; the group in question proceeded along the Calle del Hospital. And when the Examining Magistrate complied with the prescribed formality (as appears at folio 493), witness three times identified Ferrer among a circle of prisoners as the person he had seen on the said day, and at the said place.

The Catholic journalist who did not know Ferrer, and is the solitary witness who purports to have seen him exercising any sort of leadership. *See p. 212.*

The 28th is a day of extraordinary activity for Ferrer; he is ubiquitous, and such places as his direct impulsion cannot reach are reached by that of his agents, who brazenly speak in his name to the multitude, to entice it into committing those excesses which we all deplore. But for that very reason, it is the day which leaves the most frequent traces of his steps, and produces the greatest number of witnesses who point to him; and it is perhaps for that reason, too, that Ferrer begins his work by being shaved at Masnou, in order to pass more unremarked and thus elude the action of justice.

Wednesday, the 28th. Ferrer is "ubiquitous"—in precisely two places—the adjoining villages of Masnou and Premiá.

He went to be shaved, as he did every Wednesday and Saturday. There is no suggestion in the evidence that he, on this occasion, shaved so as to alter in any way his habitual appearance.

The Barber again.

In the first place, Francisco Domenech, whom we have quoted several times, tells us, on the folio above referred to, that on the 28th Ferrer presented himself at the barber's

shop at Masnou, where witness was employed, to be shaved. Ferrer told him to go and fetch the president of the Republican Committee, Juan Puig Ventura, called *Llarch*, to *see if there was anything doing*. He came, and Ferrer proposed that he should go to the Town Hall and proclaim the Republic; Puig, like the others, declined to do this, thinking that Ferrer merely wished to compromise them. Late in the evening of that day, there were numerous groups, in a somewhat turbulent mood, of strangers from the neighbouring villages, who were, according to their own account, awaiting Ferrer's arrival; but he did not appear. Witness adds that Ferrer disappeared from his house on the 29th, and that he did not see him again.

Domenech speaks as though this conversation took place in the barber's shop; Llarch says they went to a deserted house in another street, seeming to imply that Domenech was not present.

Domenech's narrative is confirmed and amplified by Juan Puig Ventura, called *Llarch*, to whom, as we have just seen, the former witness alludes: a man of upright character, and, despite his opinions, an efficient auxiliary to the Alcalde of Masnou in the task of keeping order in that district, and opposing the interference of external elements. He has persisted in the same statement, without any sort of wavering or retractation, in his four declarations (folios 24, 76, back, 136 and 457) and maintained them with the utmost resolution at his confrontation with the prisoner, as appears from folio 458.

Llarch means "tall" in Catalan. The man is a blacksmith. There is reason to suppose that the testimonial to his pacific character came from himself. See Un Martyr des Prêtres, *p.* 56.

Very well, then: *Llarch*, after confirming that he was summoned by Domenech on behalf of Ferrer, says in his declarations that he went with the latter into an uninhabited house in the Calle de Puerto Rico, and that there the prisoner expounded to him the necessity of supporting in that district the movement of Barcelona, that he, *Llarch*, replied that he did not consider this by any means desirable; that Ferrer insisted, saying that they must *begin by stirring people up, in order that some of them should set forth to*

He says "with the latter," not "with the latter and Domenech." See note, above.

burn churches and convents: to witness's reply that he did not understand how this course would pave the way to a Republic, Ferrer rejoined that *for his part, he cared little about a Republic: the point was that there should be a revolution;* that Ferrer suggested that witness should go with him to Premiá de Mar, where he wished to see the Alcalde, Sr. Casas, and that to this witness saw no objection. Once there, Ferrer made to that gentleman the same proposition which he had formerly made to witness. On the way back to Masnou, they met a band of young men coming from Barcelona, who narrated what had happened at that town. Ferrer, after hearing the account, said, "*That's good! Courage! everything must be destroyed!*" Arrived at Masnou, Ferrer again insisted on his propositions, the other again refusing, as he had done throughout the walk; and he believes that, had it not been for Ferrer, the strike begun on the 26th would not have led to such sad results.

Ferrer (Martyr, *p.* 56) *says they went to Premiá in hope of getting news from Barcelona from a steamer that seemed to be putting in there. No attempt was made to verify or contradict this assertion.*

Llarch obviously was in Ferrer's company the whole time. See p. 199.

See pp. 215, 220.

Llarch "*believes.*"

The interview, to which the last witness refers in his evidence, took place between Ferrer, accompanied by witness, and Don Domingo Casas Llibre, the Alcalde of Premiá de Mar, on the premises in that village occupied by the Fraternidad Republicana, Don Antonio Mustarés, the Deputy Alcalde, and Don José Alvarez Espinosa, the Assistant Secretary of the Ayuntamiento, also being present. It is certified by five eye-witnesses, namely: the four above-mentioned, who, with Ferrer, took part in the interview, and Calvet, the waiter who served them; by two others, Lorenzo Arnau and Jaime Calvé, who accompanied *Llarch* and Ferrer to the scene of the interview; and by two others, Don Jaime Comas and Don Pedro Cesa y Cesa, who saw them go in, the declarants being themselves in

It would seem that all Arnau and Calvé did was to stroll a little way along the village street with Ferrer and Llarch.

Café de Baldomero. Add to these the witnesses Don Francisco Cahué, Don Juan Alsina, Don Vicente Puig Pons, Don Valentín Alonso Poblet, Don Pablo Reig Cesa, Don Adolfo Cesa, Don Jaime Font, and Don José Canes, who heard the fact reported by the Alcalde at the meeting of the chief ratepayers of that district, held on the 30th of July last; and yet another witness, Don Antonio Costa Pagés, who learnt it from Lorenzo Arnau, Ferrer's companion. In all, 19 witnesses who certify the fact.

The 19 witnesses (I make them only 18) are in reality only 5. Four of the rest only saw Ferrer enter the Fraternidad Republicana (which he never denied that he did) while the remainder report only hearsay.

Let us hear how Francisco Calvet relates it in his declaration on folios 412, back, and 477, a narrative with which, except for a few accidental details, all the rest agree. He says that on Wednesday the 28th at about half-past twelve, when he was in a room used as an annexe to the Fraternidad Republicana, on the first floor of the house, two persons entered, of whom one was *Llarch*, and the other was unknown to him; the latter wore a light suit and a straw hat. He asked witness if they might sit down for a few minutes, and whether they could be served with an aerated drink and a glass of beer; to which witness replied in the affirmative. A short time afterwards, Casas, Mustarés, and Alvarez Espinosa arrived, and then the unknown said, "*I am Ferrer Guardia.*" The declarant adds of his own knowledge that this provoked a sort of astonishment among the hearers, and particularly in himself, owing to the amount of evil he had heard about that person. Then Ferrer proceeded, addressing the Alcalde, "I am come to tell you *that the Republic must be proclaimed at Premiá.*" To this the Alcalde replied, "Sr. Ferrer, I do not accept these words," and the prisoner rejoined, "How should you not accept them if the Republic is already proclaimed at Madrid, Barcelona, Valencia, and other capitals?"

These "accidental" discrepancies are discreetly suppressed.

I ascertained by inquiry that Ferrer knew the Alcalde beforehand; where was the need for this melodramatic disclosure?

But this is not the sole importance of what Ferrer did at

Premiá. We have already mentioned the names of the witnesses who speak to the violent aspect which events at Premiá assumed barely an hour after Ferrer's departure from the village; and we must now add that the same waiter, Calvet, mentions the fact that another individual, known as *Casola*, during the days of the disturbances, frequently went in and out of certain rooms in the Fraternidad Republicana, and as to this Casola, whose real name was Solá, Don Juan Alsina declares his moral certainty that he *received directly* from Ferrer the instructions for the revolution. The same gentleman maintains, as also do the witnesses Puig Pons, Comas Alsina, Reig Cesa, Cesa Moragas, and Font Alsina, that at the meeting of the chief ratepayers on July 30, the Municipal Judge asked the Alcalde if he was aware that on the night of the attack on the Convent of the Brethren of the Christian Doctrine one of the assailants carried dynamite, and when the Alcalde answered in the negative, the Judge pressed the point, saying inquiries should be made to find out who was the municipal employee who carried the dynamite cartridges, and that if the inquiries were fruitless, he himself would say who it was. The fact of the use of dynamite against the above-mentioned convent is certified by the declaration (folio 476) of Jerónimo Cardona, the night-watchman of the neighbourhood, who says that during the attack on the convent he heard, besides the gunshots, two very loud detonations, as though of dynamite or some other explosive; similarly, in another declaration (folio 406) he affirms that his companion Jaime Cesa told him that Ferrer was at Premiá in order to place himself at the head of the revolutionary movement.

Out of three different versions (see p. 199) the Prosecutor elects to stand by "barely an hour after."

No trace of evidence to connect Ferrer with this man.

Alsina "declares his moral certainty."

I was assured on the spot that this convent was threatened but never actually attacked, and that the dynamite was entirely mythical. But even if it existed, there is nothing to connect Ferrer with it. If Llarch had seen him distributing dynamite cartridges, he would have mentioned the fact.

Moreover, the witness Don Salvador Millet (folio 364) says, from information he had received, that some bands of insurgents appeared at Masnou on July 27 or 28, attacked the Town Hall, and harangued the crowd from the balconies, inciting them to join in the movement, one of the speakers asserting that he spoke in the name of Ferrer "*who could not himself take part in the affair, since the events of the revolution demanded his presence at Barcelona.*" This fact is established, apart from the statements of *Llarch* and Domenech, with which we have already dealt, by the declaration of an *eye-witness*, Esteban Puigdemón, who asserts (folio 473) that, from the door of his house, which stands next to the Town Hall, he watched the arrival at Masnou, on the 28th, of the group of insurgents, strangers to the village, and that one of them harangued the crowd, saying that he came on behalf of Ferrer, who was unable to be present.

Hearsay again.

Not one of the orators, not one of the crowd, produced.

Puigdemón being underlined as a testigo-presencial, *or eye-witness, it is clear that Domenech (p. 269) did not pretend to be an eye-witness, but merely spoke from hearsay. See p. 202.*

All that has been set forth would certainly suffice to convince any one of the character of CHIEF OF THE REBELLION which belongs to Francisco Ferrer Guardia, since we have seen him sometimes leading it in person, as we indicated by pointing to his presence in the Rambla of Barcelona on the evening of the 27th—at other times, fixing the aim of the rebellion, and seeking forces to effect it, as follows from his manifesto to the Government, which, during the night of the 26th, he presented to the Committee of radicals assembled at the office of *El Progreso*, and also from the efforts to attract others made during that same night, by the Committee of the Solidaridad, his work, as well as from his pertinacious

The one alleged instance of personal leadership has multiplied into several. This "sometimes" — "en unos momentos"—is characteristically insidious.

It was not "his" manifesto. See p. 208.

No shred of proof that the Solidaridad was "his work." His connection with it was, in fact, slight and casual.

discussions with *Llarch*, and from his conference with the Alcalde of Premiá de Mar.

But there is more yet, which I must not pass by in silence.

You will recollect that the two troopers Claudio Sanchez and Miguel Calvo observed a person in a blue suit and straw hat, who attracted their attention as they were dispersing the groups in the Plaza Antonio López. You will recollect that when he was subjected to the process of identification, they pointed out Ferrer as the person in question. Well, the Colonel, and Captain Don Ramón Puig, of the Dragoons of Santiago, say in their declarations (folios 486 and 487) that on July 28, when they were with the regiment in the tramway-sheds situated in the Calle de Borrell and the Ronda de San Pablo, arresting and searching certain individuals who proved to be armed with new Smith revolvers, they asked these persons whence these weapons came; and they replied that they had received them from a gentleman unknown to them, who, however, wore a blue suit and a straw hat. Does so singular a coincidence suggest nothing to you?

Probably the commonest of summer costumes.

How is it that not one of these "arrested" individuals is produced to identify Ferrer (three times) in a circle of prisoners?

Yet more: the witness Don José Canes points out to us an individual known as *Mamadits* as having been frequently in and out of the Fraternidad Republicana at Premiá, during the days of the disturbance, who cycled from Masnou and returned in the same direction on leaving the Fraternidad. Don Vicente Puig Pons indicates the existence of a band of thirty men whom he believes to have been recruited by Ferrer, and who appeared at Premiá, observing that, although he has no personal knowledge of the fact of the recruitment, yet this must be the case, since, when people asked each other whence those men came, the reply was given;

Again no trace of evidence to connect "Mamadits" with Ferrer, or to show that he had anything to do with the disturbances.

Puig Pons "believes," but "has no personal knowledge." He repeats the tattle of the crowd. What had become of the 30 quarrymen?

"They are the quarrymen whom Ferrer is said to have sent." Don Jaime Comas declares that on the evenings of July 26 and 27 he saw several cyclists arrive who, the people said, were the scouts of the insurgents; but he did not know what became of them in the village. Don Pedro Pagés reports that he has read in *La Almudaina*, a newspaper of Palma in Majorca, that a contractor from San Andrés de Palomar, passing on Tuesday the 27th along the coast road, was stopped at Masnou by a group among whom he recognized some of his workmen; and when he expressed surprise at their behaviour, they told him that they would do him no harm, but that they must carry out the orders of Sr. Ferrer, who had been there in the morning and had given them money. Don Bruno Humbert, Chief Deputy to the Alcalde of Mongat (Tiana), within whose municipal boundaries the prisoner's property known as Mas Germinal was situated, says that from the 27th to the 29th July, from the road in front of his house, he saw in the distance groups of five or six persons who seemed to be watching something, and who caused passing carriages and bicycles to stop. And lastly, a workman named Rosendo Gudas reports that while he was engaged in repairing a door in Ferrer's house on the 27th or 29th, he does not remember which, Ferrer came up to him and said, "Rosendo, what do they think at Tiana? Now is the time to burn down everything."

What has this to do with Ferrer?

The sole alleged instance of Ferrer having paid money to rioters is reported on the authority of a newspaper paragraph, not even produced, but only remembered.

What has this to to with Ferrer!

Manifestly a passing remark carelessly or maliciously misreported.

Having thus investigated the evidential proof adduced to establish the character of CHIEF OF THE REBELLION attaching to the person of the prisoner—an investigation which must doubtless have seemed to you heavy and tiring in consequence of the large number of declarations which I have been obliged to analyze, and of the inevitable repetitions which weary the attention of the audience in cases of this kind—I pass to a rapid survey of the

confrontations carried out. But first I must call attention to a detail which has struck me, as, I think, it will strike you: namely that, although the number of witnesses who have given evidence in the Sumario approaches, if it does not exceed, 70, and although there are among them some, but not so many as might have been expected, who maintain that they know nothing and have seen nothing, yet no single instance is found of one who has spoken a word or given an indication which might serve to exculpate the prisoner.

The effrontery of this remark scarcely calls for comment. The Prosecutor well knew that there were at least a score of people eager to give evidence in Ferrer's favour had they not been denied a hearing.

Coming now to the confrontations, it suffices to say that the four which took place gave a surprising result, the witnesses standing to their affirmations with an absolute firmness such as we find in few cases.

The first confrontation, between Lorenzo Ardid and the prisoner (folio 414), completely discredits the assertion made by the latter in his second examination appearing on folios 195 to 261 of this case. In it he roundly denied that he had been at the Casa del Pueblo since some time in June. But when Ardid steadily persisted that he had been there on the 26th of July, and spoken with him as set forth in his declaration, Ferrer had to admit that he did not absolutely deny it, since he remembered to have seen the said gentleman on that day, adding that, as he wished to see his friend Litrán, it was not surprising that he should go there to look for him. And as for the other statements of his opponent, he does not deny them either, but says he does not recollect them, which is not the same thing, and adds that he attaches no importance to a conversation over a restaurant table.

Confrontation with Ardid. See p. 205.

This exactly describes the incident: "a conversation over a restaurant table."

In the second confrontation, between Juan Puig Ventura, called *Llarch*, and Ferrer (folio 458), it appears that after seeing the attitude of the latter, who brazenly denied everything, the former said, addressing

Confrontation with Llarch. See p. 217. Llarch also said "he foresaw that Ferrer would show all his explanations

and denials"—a foresight which does not seem to have favourably impressed even the Prosecutor.

the prisoner, that "neither his diplomacy nor interest should make him swerve from the truth," and, in the face of subsequent denials, he exclaims, "I retract nothing!"

Confrontation with the Alcalde.

In the third (folio 460) between Casas Llibre, the Alcalde of Premiá, and Ferrer, the former, in the face of the latter's denial of what he had said in his interview at the Fraternidad Republicana, bursts forth with this phrase: "A man who denies the truth as you do, is capable of denying the light of the sun": adding to the statements previously made in his declarations, that Ferrer also said to him "*that he too might serve to captain a group, but that he was reserved and marked out for other and higher things.*"

This seems like a perversion of a probable remark of Ferrer's—that he held himself devoted to a higher thing than insurrection, namely education.

Confrontation with Espinosa.

Finally, in the fourth (folio 461), with Alvarez Espinosa, Ferrer attempts to minimize the importance of the interview at Premiá, by saying that it was a conversation after which they parted without any unpleasantness, and shaking hands with each other; to which his opponent rejoins that there was unpleasantness inasmuch as there was a protest, though it did not prevent the parties from taking leave of each other in a courteous fashion.

For the reason why there was no confrontation with Domenech, see p. 218.

And if the evidential proof thus points to Francisco Ferrer Guardia as CHIEF OF THE REBELLION, documentary proof, in its turn, confirms what has gone before.

He himself in his autobiography written in French and addressed to Monsieur Furnemont (folio 191), and in another published by the *España Nueva* in its issue of June 16, 1906 (folios 372 and 373), presents himself to us as a persistent agitator and rebel; he makes a boast of it, and of his share in all the movements which have occurred in Spain since 1885.

In the latter especially, he draws his own full-length portrait in these words: "I cannot conceive life without propaganda; wherever I may be, in the street, in public places, in the tramway, in the train, with whomsoever I find myself, I cannot but try to make a convert."

Note the careful omission of reference to Ferrer's assertion that after a certain time "il ne s'occupa plus guère que d'organiser un système type d'enseignement rationaliste."

These expressions might appear a little vague, inasmuch as they do not define the nature of the propaganda in question; but in the documents contained in folios 374–383 they become quite definite, for these documents prove that Ferrer's propaganda is frankly anarchist.

The "Proclamation" of 1892. See pp. 222–227.

See, if you have any doubt, his manuscript proclamation of 1892 addressed to the Congress of Freethinkers. In it he invites those who share his ideas to send their names and addresses to M. Ferrer, Poste Restante, Rue de Lafayette, who will give them the addresses of the governing Committee, further suggesting that they should write three times a month, on the 10th, 20th, and 30th, beginning with the 30th of the month then current, and stating one or more of the following things: "I have one, two, three, or more friends, names and addresses given, with or without means of defence (arms), able to travel (that is to say able to pay the fare to Madrid), willing to travel (that is to say willing, but lacking the means), with provisions for one, two, etc. (that is to say dynamite)." If, then, in 1892, he is already telling his partizans to address themselves to him, and to let him know what munitions of war they can command, does not this disclose the organizer, the leader, the CHIEF? But there is more to come: in this document, as in those which succeed it on the folios mentioned, he already speaks of the organization of a party of three hundred who shall follow him, and be the first to advance to the battle on the appointed day, and he says, "We will seek the auspicious moment, as, for instance, the time of a strike, or eve of the first of May."

The Auditor (p. 303) declared that in this "proclamation" he concealed himself under the pseudonym of Zero; *how are we to reconcile these statements?*

Do you not see a perfect agreement between this proposition and what has happened here? Does it surprise you that, as you have seen, the Solidaridad Obrera should be pointed out as the ally of Ferrer, in the foregoing declarations of several witnesses, when he himself writes in this document: "We are in touch with the labour party and with other revolutionary forces"?

Does the statement that he was in touch with the labour party in Madrid 17 years before, prove that he was in touch, for revolutionary purposes, with the Solidaridad Obrera in Barcelona? Can it be in order to bring the Madrid manuscript into "perfect agreement" with the events of Barcelona that the Prosecutor suppresses all allusion to the project of killing the royal family and the ministers?

This means that the prisoner Ferrer has been, not for a day or for a year, but for many years past, carrying on a propaganda — preparing the soil, recruiting forces, lying in wait for a favourable opportunity, such as has lately presented itself to him, to begin putting his plans in operation.

That he saw this opportunity drawing near, and that he used every effort to bring it about, as the saying goes, is proved by the two type-written circulars (see folios 177 and 179), by the programme (folio 178), and by the printed copy of the first circular and of the programme appended to folios 180–183. The first circular, speaking of the political and commercial middle classes, says that the Clergy and the Army protect them in their thefts and frauds; then it goes on to say: "They exploit us, they sacrifice, kill and dishonour us, because we are not men, or do not behave as such. They regard us as a despicable flock of [scabby] sheep, and they are in a measure right, seeing that we endure it. Happily, the time is at hand for proving before the world that we will no longer be exploited. The hour of revolution draws near; pass over the infamous middle classes and their ridiculous programmes. Before beginning to build, we must raze all ruins to the ground. If there is among the politicians any man deserving of respect, any citizen who enjoys a just or an

The type-written documents. See p. 233 for proof that, even if Ferrer had anything to do with them, they were at least 7 years old.

Note that this is written by some one who is, or pretends to be, himself a workman, which Ferrer never was.

unjust popularity, you will see how he will strive to hold us back at the critical moment, to extinguish the trains that are fired, on the pretext of humanity and generous sentiments. But pay no heed to them, pass over them, kill them if necessary. [Did they, think you, call to mind the principles of generosity or of humanity when Portas was torturing in Montjuich, when Polavieja was assassinating in Manilla, when Weyler was venting his fury on the defenceless victims of immolated Cuba?] Let the revolution come, for it is no less inevitable than bankruptcy; but do not leave it in the hands of a middle class as odious as it is reactionary; and do not rest until you have carried to its ultimate conclusions a revolution which, without you, would be at once shameful and barren."

The sentence in brackets, and the word in brackets above, were omitted by the Prosecutor. The sentence might have led the Court to suspect the early date of the document.

In the second circular, after saying: "For us, we desire and require to destroy everything, and we avow it with loyal candour," he adds: "Let us strive for their redemption and our own, until we convince them that clericalism and militarism are the two arms of capitalism, the executioner of mankind. Let us make an end of the monster's arms, and it will be easier to strike off its head. Workers, prepare, for the hour is at hand." And this curious document ends as follows: "Herewith the recipe for the manufacture of panclastite."

This sentence, together with that quoted on p. 234, strongly suggests the handiwork of an agent provocateur.

Of the programme (folio 178), the veritable programme of all that the rebels of last July effected, we shall only say that it comprises, among other things: the abolition of all existing laws; the expulsion or extermination of all religious orders; the demolition of churches; the confiscation of the Bank and of the railways.

The rebels effected, or attempted, nothing of the programme except the anti-clerical portion of it.

It is to be carefully noticed that in the second of the said circulars, typewritten throughout, there are two corrections: the *t* in the word *actos* and the syllable *ba* of the word

The experts and the t, b, s, *See p. 232.*

trabajando; and, when it was subjected to the prescribed verification, the experts affirmed that the corrections must have been made by Ferrer, on account of the similarity of his handwriting in documents exhibited to them. The prisoner denies in his examination that either the documents or the corrections were his. But does it not strike you as peculiar that, though he could have proposed in the Plenario another examination by different experts nominated by himself, he did not do so? Does not this appear to show, in spite of his denial, an inplicit admission of the authenticity of the corrections?

What the experts said was "might have been."

It has seemed to the prosecution very surprising that a man who shows himself as cautious as the prisoner does in a letter addressed to Don Odón de Buen (folio 190): "Some time ago I made up my mind no longer to figure in any party: therefore I entreat you to make no use of my name, which must remain in obscurity; though of course (and of this I shall speak to you at the earliest opportunity) I am always ready to promote the coming of the Republic"—it has seemed surprising, I repeat, that, anxious as he was to remain in obscurity, he should have let himself be seen so much during the events of July, as we have shown to have been the case, thus giving an opportunity for charges to be specified against him. What motive can have constrained him to change his behaviour? Can it be self-interest? It is a mere suspicion, nothing more than a suspicion, of the person who now addresses you, but one which has come to his imagination while studying the declarations of Don Pablo Reig Cesa, Don Adolfo Cesa Moraga, and Don Jaime Font Alsina, particularly those of the first two, who assert that during the days preceding the events, Lorenzo Arnau, Ferrer's companion when he went to the conference at Premiá, advised them to

Unless Ferrer had had the gift of invisibility, he could not well have been less in evidence than he was "during the events of July."

As to this base and absolutely groundless insinuation, see p. 203.

Arnau was his! "companion" in the sense that he strolled a few yards along the street with him. See p. 270.

speculate on the Stock Exchange, because funds were going to drop three or four points. It is true that Arnau said that if he spoke about this it was because he had heard rumours of it at Barcelona. But there is another deposition, that of Don Alfredo García Magallanes, in which he says that Pierre mentioned to him on August 10 that he had heard that Ferrer had been speculating on the Bourse. And as the official lists of quotations appended to the papers show a fall during the days of the events, as compared with the preceding days, it is difficult, if we put two and two together, to escape from this idea.

This gentleman was "Magallón" on p. 262.

Having thus pointed to Ferrer's guilt as AUTHOR of the crime of rebellion, and with the character of CHIEF, let us pass to the qualifying circumstances. On this point we confirm what we maintained in our provisional statement, namely, that all the circumstances laid down in the Code of Military Justice (section 173) are to be found here. Indeed, the perversity of the prisoner could not be greater; whether in view of the objects he aimed at in the rebellion, in which there was no question of a more or less profound political change, but of a real social revolution, anarchist in its trend, as appears unmistakably from the beforementioned documents (folios 177, 178 and 179);—or in view of his persistent and inveterate propaganda, as appears from the documents (folios 374 to 383) relating to the year 1892;—or in view of the hypocrisy and baseness of soul revealed by that letter to Don Odón de Buen (folio 190), since the *wish to remain in the shade*, as he puts it, seems to proceed less from a lack of ambition, of aspiration to office and honour, as the prisoner asserts in his deposition, than from a desire to reserve to himself a sure means of escape from the natural consequences of his conduct. He goaded others to action, while himself remaining concealed in that obscurity, which, as we have seen, is so dear to him.

See p. 250. The gallant officers, even while maintaining that their case is overwhelmingly strong, cannot quite conceal their lurking suspicion—or their resentment—of its weakness.

The import of the crime is immense. One has only to reflect

that the rebellion left this territory isolated from the rest of Spain, and from the rest of the world —one has only to consider that the capital remained, during the days of the tragic week, almost without light or provisions—in order to realize that the deed has reverberated through every department of life, from industry and commerce to the life of private domesticity.

The cost of the insurrection.

The harm which the crime not only might have done, but actually and really did, to the service and the interests of the State as well as to private interests, is so huge that it may be emphatically and truthfully said to be incalculable. The public services were paralyzed owing to the damage done to the lines of communication by rail and telegraph, which rendered it impossible to remedy with the requisite promptitude the state of chaos created by the rebellion. Interests of State were doubly injured; firstly by the fact that it was necessary to divert to the repression of the rebellion forces whose business was to avenge the honour of the nation, outraged in the Riff: secondly by the great pecuniary sacrifice entailed by the mobilization of these forces in order to despatch them to this district. As to private interests, there is no need to relate what they suffered: louder than any voice of ours is the voice of the lists of killed and wounded, resulting either from the pitched battle in the streets, or from the murders committed under its cover, of the demolished buildings, of the aged, the infirm, the children, who, torn from their retreats, were left unprotected and unsheltered to their fate.

The slaughtered priests of p. 258, are perhaps included under the term "murders"; but what has become of the outraged nuns?

And when we say this, we cannot but recall the fact that during the rebellion, at the same time as the armed struggle, acts of incendiarism took place, acts of pillage, and injury to railways and telegraph lines; common crimes, all of them, but inseparable from rebellion, because they are interwoven with it and directed towards the same end, as has been laid down in similar cases by the Supreme Council of the Army and Navy in numerous judgments, particularly that of March 30, 1897. Certain it is that each of these crimes must have had its actual perpetrators; but

it is equally certain that for the present they are unknown to us, since the innumerable prosecutions which have been instituted against these individuals have not yet proceeded to judgment. Consequently no other course is open except to abide by the purport of the second paragraph of Section 242 of the Code of Military Justice, and to declare the prisoner Ferrer Guardia, as principal CHIEF OF THE REBELLION, guilty as an accessory to those crimes, and doubly answerable under criminal and civil law, and to assert the civil liability for those crimes, involving the whole property of the prisoner, even though it be physically impossible at the moment to ascertain the precise sum at which we may fix the damage caused by conflagration, pillage, and injury to lines of communication.

Not one of these "innumerable" rebels has been in any way brought into relation with the "author and chief of the rebellion."

Accordingly, characterizing the action as the completed offence of military rebellion, defined in the third and fourth paragraphs of Section 237 of the Code of Military Justice; and having proved the prisoner to be the AUTHOR of the same, with the character of CHIEF, and with the concurrence of all the aggravating circumstances set forth in Section 173: I conclude in the name of the King (whom God preserve) by demanding against Francisco Ferrer Guardia, in accordance with the Code of Military Justice, Section 238, clause 1, the infliction of the death penalty, with the alternative, in case the penalty is remitted, of perpetual absolute incapacity; one half of the period of remand undergone in consequence of these proceedings, being credited to him in accordance with the Act of January 17, 1901; and demanding that he should likewise be adjudged liable for the damage and detriment caused by conflagrations, by pillage and injury to the lines of communication, both railway and telegraphic, occasioned during the rebellion; all his goods, in so far as the amount of the damage can be ascertained, being applicable to the discharge of this civil liability.

The whole in accordance with Sections 173, 188, 219, 237 (paragraphs 3 and 4), 238 (clause 1), and 242, of the Code of Military Justice; 11, 13, 18, 53, and 121–126 of the

Ordinary Penal Code, and the above-quoted Act of January 17, 1901.

The Council, however, with superior wisdom, will decide according to the dictates of justice.

JESÚS MARIN.

Barcelona, October 8, 1909.

PRONOUNCEMENT OF THE ASSESSOR TO THE COUNCIL

DON ENRIQUE GESTA Y GARCÍA, Deputy Auditor of War in the second degree, acting as Assessor to the Ordinary Council of War assembled to try and pass judgment in the cause conducted against Francisco Ferrer Guardia, says—

In reality, my report is made only to show that I concur absolutely in the description of the facts formulated by the Prosecutor, as also in his attribution of responsibility to the prisoner Francisco Ferrer Guardia, as AUTHOR AND CHIEF of the rebellion, and in the statement of the penalty whose infliction the Prosecutor demands.

Clear, definite and precise, the accusation has yet another virtue of no mean order: it is the moderation which the Prosecutor showed in confining himself to the strict fulfilment of his duty, and in not seeking data or grounds of responsibility outside the actual records. If he had not skilfully steered clear of this rock, if he had not had independence enough to escape the influence of public opinion, he would perhaps have rendered possible the repetition of the prisoner's insinuations in his autobiography in French addressed to M. Furnemont (folio 191), according to which his prosecution in the Madrid trial of the affair of the bombs thrown by Morral was due to the hatred felt by some religious Order for his methods and for the teaching of the Escuela Moderna. These insinuations were, indeed, calumnious; but subsequently to the arrest and actual prosecution of Ferrer, they were repeated by his partizans and

See p. 62. *If it would have been wrong of the Prosecutor to drag in the Escuela Moderna, why was it right for the Assessor to do so?*

As though half of the evidence were not the mere record of public opinion.

friends, particularly abroad, and had the result that, amongst ourselves, certain timorous spirits were brought to believe in something like the possibility of a diplomatic intervention in the matter, without stopping to reflect on the absurdity of such a notion, which crumbles to nothing the moment we recollect that our country is not a nation of limited legal powers, and consequently not obliged to submit to foreign interference in its internal affairs.

By this tact, by this discretion, the Prosecutor has disarmed the inventors of fables and ridiculous legends. His accusation, read as it was in public, deserves even larger publicity, forasmuch as, the more public it is, the more effectual the vindication of the justice of Spain, and particularly that of the Military Jurisdiction, against imputations of this nature. The fact that in his so meritorious work he has not once mentioned the Escuela Moderna, nor made the slightest reference to its teachings or its propaganda, will prove the absolute rectitude and impartiality of our Courts. If to-day the Military Jurisdiction condemns the prisoner, it will be simply and exclusively because it will have found justification for that course within the limited circle of the records; just as, if the Civil Jurisdiction acquitted him yesterday, in the above-mentioned case, it was because there did not appear in that case grounds for his condemnation.

A somewhat unlucky prophecy.

The Prosecutor, and, before him, the detailed report of the energetic Examining Magistrate who accomplished so praiseworthy a labour in accumulating in the Sumario so many and such cogent proofs of the prisoner's guilt, have perfectly indicated the nature of this case. It bears, like the case conducted by the Examining Commandant Lliviana, from which it springs, a special impress of generality which distinguishes it from the hundreds of prosecutions instituted in consequence of the events of July; for while, in these last, the investigation applies to individual concrete facts, considered separately from one another, in the case in which this Council

There is something touching in the mutual admiration of these soldier-advocates. See the Auditor on the Prosecutor and Assessor.

of War is now to pass judgment, the revolution is investigated as a whole, as a combination of a multitude of facts so closely interconnected that, though, from its chief focus in Barcelona, it radiated out to the country districts of this province and that of Gerona, where subsidiary foci, derived from the first, formed themselves, yet they never lost their connection with that of the capital, either in their origin, their aim and methods, or in their development. The segregation of the present cause from that from which it springs was imposed on us by the greater definiteness and importance of the charges which crystallized themselves against the prisoner Ferrer, from the moment of his arrest, giving him a prominence never attained or approached by any of the other persons indicted along with him. This demanded, if justice, and especially military justice, was to fulfil its high duty of exemplariness, a procedure as swift as might be, without prejudice to that complete elucidation of the facts which is the basis of the establishment of responsibility.

It was not the imminent re-assembly of the Cortes, but the "exemplariness" of military justice, that called for the headlong haste of the procedure.

The prosecution accurately described the facts when it defined them as the crime of military rebellion.

[Here follows a technical discussion to show that the object of the insurrection was not a political but a social revolution—a distinction which seems to have been necessary in order to justify the phrase "military rebellion."]

Look at the documents appended to folios 374–383, and you will perceive that the manifesto addressed to the Congress of Freethinkers in 1892, before Ferrer engaged in the organization of the body of 300, contains the words: "Long live the revolution, long live anarchy!" and in speaking of this body and defining the information to be sent to him at Paris by those who should rally to it, one of the facts on which he demands to be informed is whether they have *provisions* (*which will mean dynamite*), as appears in the actual handwriting of the prisoner. See

The "Proclamation" of 1892. See pp. 222, 278.

Quoted in the newspapers as "long live dynamite!"

On this quotation, see footnote, p. 223.

in like manner the proclamations (folios 177 and 179) characterized in detail by the Prosecutor in his indictment, and you will notice that, without speaking of the form of Government, he says that the Clergy and the Army protect the robbery and fraud of the middle classes; that before building we must pull down; that what they desire and need is wholesale destruction. See finally the programme (folio 178), and the passage about the abolition of all existing laws will enable you to form an idea of the real object which was being pursued.

The type-written documents. See pp. 232, 279.

The fact that Ferrer disclaimed all knowledge of these documents is tactfully ignored.

If you turn your attention to the prisoner's words as set forth in the evidence of the witnesses, you will arrive at a like result. To *Llarch*, as you have seen in his declaration, Ferrer says that the Republic is immaterial to him, that the point was that there should be a revolution, and that a beginning should be made by stirring people up to burn churches and convents. To the young men coming from Barcelona whom they met on their return from Premiá, he says: "That's good! Courage! Everything must be destroyed!" To the Alcalde of the latter village, at the time when he was inciting him to proclaim the Republic, he recalled, as if it was his constant obsession, that churches and convents were being burnt at Barcelona. And to the workman Rosendo Gudas, while he was working at the prisoner's house, he makes the remark: "Now is the time to burn everything!" Thus it is not surprising that in seeking support among people of advanced views, never doubting that he would find them ripe for revolt, he encountered a refusal instead of the adhesion he solicited, whether because they knew his designs, and feared to go beyond their own ideals, or because they did not

See pp. 215, 270.

See pp. 216, 270.

See pp. 216, 271.

On the contrary, it is surely most surprising that the "author and chief of the rebellion" meets with absolutely no response from any one whom he tried to "goad" into action. Here is a chief whose orders or incitements no one (out of more than 2000 prisoners) can be found to have obeyed.

regard the opportunity as favourable. Certain it is, at any rate, that, as appears from the evidence, Lorenzo Ardid ejected him from the Casa del Pueblo; that Iglesias and his friends who were with him on the night of July 26 at the office of *El Progreso* refused to sign the manifesto which Ferrer submitted to them, as he himself told *Llarch* and Domenech; and these two assert in their depositions that *Llarch* himself, the President of the Republican Committee of Masnou, opposed the suggestions, and that the Alcalde Casas Llibre protested, at the Fraternidad Republicana, against Ferrer's words.

A gross perversion of Ardid's evidence, even as it appears on the records.

In dealing with the responsibility of Francisco Ferrer as AUTHOR AND CHIEF of the rebellion, the Prosecutor follows a clear, precise method which allows us quickly to apprehend the charges which lie against him. He groups in the first place those which we may call general and less concrete, though not therefore insignificant; for, when we find a concurrence in one and the same direction of the evidence of so many witnesses, so different in social standing and in antecedents that, being absolute strangers to one another, they cannot have come to any preliminary agreement, the conclusion is that a state of conscience exists, which, connecting cause and effect, has given rise to a judgment, doubtless capable of being rebutted by contrary proof, but which is well worth taking into consideration, since it gathers, from the various grades of society, data which do not come directly before the Court, whether on account of a lack of public spirit, or of an excessive attachment to private tranquillity which shrinks from the possible disturbance of being obliged to appear once and again before the Judge, or, worse still, on account of culpable cowardice in face of possible reprisals on the part of allies and relatives of the prisoners—data, however, which may without inconvenience be hinted to a friend under the safeguard of secrecy.

An apology for anonymity, hearsay, and opinion.

Yet this same Assessor indignantly denies, on the next page, that any of the evidence is anonymous.

Next, the Prosecutor follows the prisoner day by day, accom-

panying his account of each day with abundant proof of the felonious acts which place him in the position of CHIEF, leader, organizer, and promoter of the events of July, in accordance with the accurate definition of the word "chief," which had been framed at the outset. And we are constrained to acknowledge that such complete proof must carry conviction even to the mind most strongly prejudiced in the prisoner's favour. All this is additionally established, although that was unnecessary, by the documentary evidence put in, the value of which is indisputable, inasmuch as it has not been impugned by the prisoner, who in his examination confines himself to saying, so far as concerns the documents in folios 374–383, that they are of very remote date, and without importance in the present case; and, so far as concerns those in folios 177, 178, and 179, that they are not his work, without, however, producing any evidence to rebut the identification effected by experts on the corrections of the programme (folio 178). Such evidence he had the opportunity of putting in at the time of the reading of the indictment; and the fact that he did not do so is tantamount, as the Prosecutor says, to an admission of authenticity.

An amazing assertion.

The concurrence of all the aggravating circumstances indicated in Section 173 of the Code of Military Justice must have been painful for the Prosecutor to set forth, as it is for the undersigned. But neither he nor I can avert our eyes from reality, or fail in our duty by any arbitrary condonation.

[Here follow some paragraphs of purely technical discussion.]

Turning now to the written address of the prisoner's Defender, we find him beginning by saying that every possible anonymous denunciation which could prejudice his client has been included in the prosecution. This assertion is absolutely inaccurate, and to convince oneself of this it is only necessary to glance through the records of the case; they do not contain a single denunciation nor a single anonymous writing; the declarations of the witnesses are neither the one nor the other.

See pp. 195, 290.

The Defender falls into another inaccuracy: I speak of his assertion that *all* Ferrer's enemies had given evidence against him. The least he could have done, if his assertion were not to be treated as wholly gratuitous, would have been to indicate one by one who these enemies were, and even to have their testimony rejected by proving their enmity. By taking neither course, he justifies us not only in disregarding his assertion, but also in deprecating a method of defence intended solely and exclusively to appeal to the gallery, and unpermissible as a weapon of bad alloy.

All was certainly an exaggeration—some had to be left to sit in judgment on him.

And as for the fact that Soledad Villafranca and the other signatories of the letter contained in the records, addressed to the Examining Commandant, were not summoned to give evidence, does this Honourable Court believe that, either for Ferrer or for any one else, it was possible to override the law? Had not these persons a term of 28 days, before the case reached the Plenario stage, which they might have turned to better account?

On this argument, see pp. 160, 189. In any case, the exiles were not learned in military law, and could not reasonably doubt that a Court desirous of learning the truth would call for their evidence at the proper time.

And as for the complaint that they had been deported in order that they should not give evidence, this is another assertion which ought to have been proved, by showing that their deportation took place at a date after this preliminary examination (Sumario) opened. But even if this had been the case, it would still not have proved that such was the intention of the authorities who deported them, since, even in their absence, their evidence could have been taken by commission.

The force of this argument is not apparent.

If it could have been—why was it not?

As regards the foreign witnesses, the Defender himself lets us see how rightly the judicial authorities acted in refusing this evidence, for if the information these witnesses had to give us

referred to Ferrer's ideas, projects and conduct, their declarations, even supposing them dispassionate and exact, would have been quite useless, seeing that they reside abroad, and do not pretend to have been here at the time of the events, and could consequently throw no light upon those events, the sole subject-matter of these proceedings.

As a great part of the evidence concerned Ferrer's opinions, why should not evidence on the same point have been accepted from abroad? See p. 196 for the evidence of an "unexceptionable" witness who "did not pretend to have been here at the time of the events."

As to the remarks made by the Defender about the reactionary elements and the conservative classes, they should have been addressed to these classes themselves, not the Council of War. But his assertion that they may have had an influence on the case cannot be allowed to pass uncontested; for in these proceedings no reference at all has been made to the Escuela Moderna or to its teaching, and the Prosecutor does not once allude to it.

See p. 165.

Except by the Assessor himself, and by the Prosecutor of the Supreme Court, and by whoever was responsible for the flooding of the press with garbled extracts from Ferrer's publications.

If the Defender thought that the sentence passed in the case of Morral's bomb ought to have been added to the present record, why did he not demand it at the reading of the indictment? However, even if this had been done, it would not have prevented us from drawing the appropriate inferences from the documents lodged in this case, as a result of the various searches carried out at the prisoner's house, since the plea of the *chose jugée* applies only to the particular crime on which judgment has been passed, and has no bearing upon other crimes, to which the judgment did not extend, and, in the present case, could not properly extend, seeing that the crime is of later date. That judgment may prove that Ferrer took no part in Morral's attempt; but it gives no patent of legality to the documents, especially as the Defender does not venture to assert that they were ever submitted to the Court at Madrid.

It is not surprising that the Defender should complain of the conduct of the radical party, since, that party having left his client

isolated, as is shown by the declarations of Domenech and especially of *Llarch*, we need not wonder that it has incurred his (Ferrer's) antipathy, both because it failed to second his plans, and because, by that isolation, it enabled judicial action successfully to accomplish its task.

The Defender says that he holds at the disposal of the Court documents proving his client's innocence; but what is certain is that he has not put them in, and that the Council of War (I am sure) would not have admitted them. The Code of Military Justice fixes a time at which the prisoner's representative may bring forward what evidence he thinks relevant; that time is at the reading of the indictment: then it was that the Defender should have demanded the inclusion of those documents in the record; if he did not, it is because he had not much confidence in their efficacy.

Which may possibly have been the reason why he did not put them in.

Again, the Defender asserts that we have refused to listen to the opinions of philosophers, and that we have given ear to *suborned witnesses*, such as *Esmolet* and *Mauquet*. He does not say by whom they were suborned: and with the same right he has to assume them suborned by whomsoever he pleases, we on our side might assume them suborned by the prisoner. But even here he is in error; review the case, and you will see that neither of these two persons has given evidence.

Who these witnesses were I do not know. Doubtless their evidence dropped out precisely because it was manifestly corrupt.

As to the value of the declarations of the witnesses, the Defender brings forward no reasonable argument which can lessen their cumulative force; for what he says on this point, he does not prove, and consequently it can be regarded as no more than an idle ebullition, to be judged by the tone of his whole address.

Regarding the main point at issue—was Ferrer the CHIEF of the rebellion?—although I consider it sufficiently proved by the Prosecutor, I am going to emphasize it anew in order to refute the defence.

Observe, first of all, that the witness Don Francisco de Paula Colldefons (folio 492) tells you that he saw him *captaining* a group in the Rambla in front of the Liceo, on the 27th, and that the fact of there being only one witness on this point does not invalidate his testimony, because the Courts are bound by no such rule in their appreciation of evidence. In fact, the veracity of the witness can be deduced from his own words. He did not know Ferrer personally; but when he saw that the people gathered in that place indicated him as being Ferrer Guardia, it caused him to look at him, and that to such purpose that he subsequently identified him three times, in a circle of prisoners, as appears on folio 493. That means that we already have a tangible act of leadership (*jefatura*): the captaining of a group, and appearing as the commander, superior, or the head of the same, directing the others.

The Catholic journalist again. See pp. 211, 268.

Colldefons does not allege any "tangible act of leadership," and he was never confronted with Ferrer or in any way cross-examined as to the grounds for his assumption of (the supposed) Ferrer's "captaincy."

That he sought people out, and goaded others on, is proved by the declarations of Domenech, *Llarch*, Casas, and Alvarez Espinosa. The first two show him *searching out* people prepared to follow him, whence his visits to the office of *El Progreso* during the night of the 26th: *searching out* similar auxiliaries in the person of *Llarch* himself and of the Alcalde Casas Llibre; and the last two, with many other witnesses, confirm the fact that he *sought out* and *goaded on* the Alcalde of Premiá, urging him to proclaim the Republic from his Town Hall.

If he "sought out" and "goaded" these virtuous citizens, it was to no purpose whatever.

As to his pointing the aims of the rebellion, besides what appears from the documents in folios 177, 178, and 179, observe that, to *Llarch* as to Casas Llibre, he says that not only must the Republic be proclaimed, but that churches and convents must

The burning of the churches, etc., was practically over before he is alleged to have uttered these sentiments. Not one genuine case of incendiarism even purports to have been traced to his incitement.

be burnt; and if you compare these words with what happened during the rebellion, you will see that the Republic, indeed, was not proclaimed, but that numerous convents and churches were committed to fire and pillage.

That he furnished means for the rebellion, is proved to you, not only by the appearance at Masnou and Premiá of those bands mentioned by several witnesses, but by the occurrences in the former of those places, where a person harangued the multitude in the name of Ferrer, and by the declarations of the Colonel and Captain-Adjutant of the Dragoons of Santiago. The Defender ridicules this evidence, and attempts to invalidate the declarations of these witnesses, because they did not arrest the persons whom they searched and found in possession of revolvers, in order that they might identify Ferrer. But this, which at first seems much, is nothing, if you look into it a little. Bear in mind that the Colonel and the Captain were not aware of the importance of this point until, at the barracks of their regiment, they undertook the task of interrogating the soldiers who had been on duty together at the Plaza Antonio López on the evening of July 26, and these soldiers spoke of a gentleman in a blue suit and a straw hat. Now this inquiry took place and these declarations were made on September 25: how then could the officers have hoped to find the individuals whom they had searched on July 26?

Even if true, what has this to do with "furnishing means"?

The officers are stated (p. 274) actually to have arrested these persons; why then could they not be produced? The Prosecutor and the Assessor use the same word, "detener"; but the one says that the officers did, and the other that they did not, arrest the revolver-men.

For the reasons above set forth, and to sum up, the Assessor concludes by counselling the Court—

1. To declare that the facts investigated in this case constitute the completed crime of military rebellion defined in Section 237 (paragraphs 3 and 4) of the Code of Military Justice.

2. To hold guilty of this crime, in the character of AUTHOR AND CHIEF of the rebellion, the prisoner Francisco Ferrer Guardia, with all the aggravating circumstances set forth in Section 173 of the said Code.

3. To inflict upon him, in accordance with Section 238 (Clause 1) of the said code, the penalty of death.

[Here follows a repetition of the concluding paragraphs of the Prosecutor's allocution.]

ENRIQUE GESTA Y GARCIA

Barcelona, October 9, 1909.

SENTENCE

IN Barcelona, on October 9, 1909, the ordinary Council of War of the station having assembled to try and pass judgment in this cause; the Examining Magistrate having reported the result of his investigation; the accused being present; the Prosecutor's presentment and the defence having been heard; and in accord with the pronouncement of the Assessor; the Council of War unanimously declares—

That the facts investigated in this case constitute the completed crime of military rebellion, defined in Section 237 (paragraphs 3 and 4) of the Code of Military Justice:

Considers the prisoner Francisco Ferrer Guardia responsible for the same, in the character of AUTHOR AND CHIEF of the rebellion, with the aggravating circumstances set forth in Section 173 of the said Code:

And, in virtue of the same, imposes on him, in accordance with Section 238, clause 1, the penalty of death, with the alternative, in case the penalty is remitted, of perpetual absolute incapacity; condemning him also to make compensation for all the damage and detriment caused by the conflagrations, by pillage, and by injury to the lines of communication, by rail and telegraph, occasioned during the rebellion; all the goods of Ferrer Guardia, until the amount of the damage can be ascertained, being held applicable to the discharge of this civil liability; and declaring that, in the aforesaid case of remission of the death penalty, one-half of the period of preventive imprisonment undergone in consequence of these proceedings shall be credited to him.

The whole in accordance with Sections 173, 188, 219, 237

(paragraphs 3 and 4), 238 (Clause 1), and 242 of the Code of Military Justice; 11, 13, 18 to 21, 53, 121 to 128 of the ordinary Penal Code; the concordant sections of both Codes, and the Law of January 17, 1901.—Eduardo de Aguirre.—Pompeyo Martí.—Sebastián Carreras.—Marcelino Diaz.—Manuel de Llanos.—Aniceto García.—Julio López.

PRONOUNCEMENT OF THE AUDITOR-GENERAL OF THE 4TH DISTRICT

YOUR EXCELLENCY,

[Here follows a paragraph reciting the terms of the sentence.]

The Auditor considers it indispensable to give, at the outset of this pronouncement, a biography of the prisoner Ferrer Guardia as a revolutionary, deduced from the letters and documents which make up the fifty files seized by the police during the second of the searches carried out at Mas Germinal.

The earliest document among them is a letter dated June 22, 1880 (file 14), which refers to the mission then entrusted to the prisoner by Don Manuel Ruiz Zorrilla, at that time a refugee at Geneva, of introducing into Spain the correspondence which the latter maintained with his friends, and also the manifestoes, commissions, and packets which were confided to him, and which Ferrer busied himself in forwarding to their destination. Ferrer was then an employee of the Madrid, Saragossa, and Alicante Railway Company, and, as ticket-inspector, made the journey from the French frontier to Barcelona.

He was also entrusted with the management of certain matters in the revolutionary movement which at that time was preparing at Santa Coloma de Farnés; and the prisoner worked with so much intelligence, interest, and zeal for the republican cause that Ruiz Zorrilla regarded him as one of his best, most faithful, and most intelligent friends. He says to him in various letters (files 14 and 26) that, with a few more men like him, they would already be in Madrid, and the Republic would have triumphed. Ferrer went on in this way until May 19, 1885, when he resigned his employment and settled in Paris. This decision was referable to the rising of Santa Coloma,

This bears out Ferrer's own statement that his migration to Paris was voluntary.

in which he took some share, to conjugal difficulties which led to his separation from his wife, who fired two shots at him (file 26, letters of May 27), and to a supposed robbery committed on the Gerona line, the victim being a priest who was the bearer of some money (file 40, sheet 167).

See p. 5.

Under the patronage of Zorrilla and the colony of Spanish refugees, he set up a wine-shop at Paris, and engaged in giving lessons and in working energetically for the cause of revolution. He maintained with various republican personages an active correspondence, which makes up files 15, 16, 16a, 16b, 16c, 16d, and 26. It is to be observed that the fieriest and most impatient addressed themselves to Ferrer, with a view to influencing, through him, the mind of Ruiz Zorrilla, in order that, without embarking on any cabals, compromises, or amalgamations with republicans of other shades, and without hoping for anything from evolution, they might frankly and resolutely march on to revolution.

It is to be remarked that from the month of March, 1883, the bulk of the letters received by Ferrer were not addressed to him in his own name, but in that of *Zero*, which is the pseudonym and countersign he had assumed for the work of conspiracy. This figure and name he retained until the death of Zorrilla, and so he signed the famous manifesto of the 300, which has been published in the newspapers. It is a symbolic name, and constitutes in itself a very salient trait in Ferrer's personality as a conspirator: he always wants to be the most advanced—he wants to march in front of Number 1; but at the same time he wishes his name not to appear; he aspires to obliterate himself, to work in the shade; and for that reason, in spite of his having been one of the most revolutionary men in Spain, he has never been chief. And when Don Odón de Buen, on the

The suggestion that in this document he concealed his name is clearly false, if the Prosecutor's version of it, and the version published in the newspapers, is to be accepted. *See pp. 222, 278.*

The prosecution here pursues its established policy of grossly exaggerating Ferrer's influence, while making out that it was surreptitious and subterranean. But see next page.

occasion of a celebrated meeting with a view to inducing all the sections of the republican party to remain united under the leadership of Salmerón, solicited Ferrer's permission for his signature to appear upon the summons to this meeeting, the prisoner refused (letter of April 8, 1903), claimed his freedom of action to carry on his work in obscurity, and expressed his unalterable decision to appear at the head of no political party.

This letter, of course, was written long after Ferrer had given up active political work. Observe that the text is not quoted. It is most improbable that either Ferrer or Dr. Odón de Buen made any reference to his appearing "at the head" of any political party.

Thus Ferrer continued his never-ending revolutionary labours at the side of Ruiz Zorrilla, whose affection he so far succeeded in conciliating as to become his secretary; and he took a hand in the preparation of all the political disturbances of a republican character which took place in Spain, from that of Asencio Vega at Badajoz to that of Captain Casero in Madrid.

When the year 1892 came, Ferrer obtained the right to represent various republican, rationalist and socialist centres, in Spain and abroad, and as delegate of these organizations attended the Congress of Free Thought held in Madrid. At that Congress the personality of Ferrer as standard-bearer of the Revolution came into singular prominence, after a violent speech on his part, which, written in Spanish and in French, was widely disseminated.

What becomes of the pretence that he always "aspired to obliterate himself, to work in the shade"? The truth is that this pretence is founded on the usual disregard of chronology. After Ferrer had abandoned politics, he naturally did not want to figure prominently on the political platform.

At this Congress, Ferrer made the acquaintance of Lerroux, then editor in charge of the section "Politics of the Day" in *El Pais*, and, discerning in the young journalist a revolutionary temperament similar to his own, he contracted with him a speedy and fraternal friendship, which is depicted in Lerroux's letters composing file No. 2—a friendship and political understanding which has lasted until a very recent date, for in Ferrer's last letter, of June 24, 1908, packet No. 12, written at Amélie-les-Bains, on the occasion of a visit to that establishment made by Ferrer, Soledad,

Malato and Margarita, Anselmo Lorenzo, and other foreign anarchists whose names are not given (see Lorenzo's letter of July 21, 1908, packet 12), Ferrer invited Lerroux, with affectionate insistence, to send his wife and son to the French watering-place, thinking that a stay in that place would be far more agreeable to them than a visit to the house at Mongat, which he had previously placed at the disposal of the Lerroux family. To this offer Lerroux replied on June 29, thanking him for the invitation, and saying that he was forwarding the letter to his wife, leaving her the choice of accepting, and asking her to address her reply to Ferrer direct (packet 12.)

Ferrer put Lerroux in communication with Ruiz Zorrilla, and although both accepted the latter's authority, because he was then the republican leader who was advancing towards revolution, neither was satisfied with the direction imposed upon the party. The proof of this lies in the fact that Ferrer considered as colourless and weak the manifesto or proclamation of Ruiz Zorrilla which the prisoner had signed in his capacity as Secretary (folio 376), holding that, although very advanced, it confined itself to political revolution, whereas the two friends aspired to social revolution. Wherefore they drew up on their own account the circular of folio 374, in which is inserted Lerroux's manifesto "to Republicans of courage," energetically inciting to revolution and to the formation of the group of 300 men ready to give their lives for it; Ferrer appearing at the head of the 300, but under the figure of *Zero*, the name with which he signed the circular proclamation. It was this group which, during the interval between the year 1892 and the death of Ruiz Zorrilla, fed the flame of conspiracy among the advanced sections of the republican party, its members signing their letters with the number which each had assumed; the list of which was kept by Ferrer, whose duty it was to supply the needful information to the chief, when he was in doubt about the identity of the person represented by No. 20 or No. 132 with which this or that letter was signed.

See pp. 222, 278.

On the death of Ruiz Zorrilla, when the revolutionaries had to seek another leader, the prisoner addressed himself to Lerroux

proposing that he should accept the command which he offered him with flattering expressions, in the letter appended to folios 188 and 189. But Lerroux, for the moment, declined the honour, in the letter of folios 390 and 391, although he fully agreed with Ferrer that it was necessary to create revolutionaries, and to convince the people of the possibility of living without Law, without Government, without God, or anything at all.

Seeing that the years slipped away without the triumph of the desired revolution, taking a lesson from the experience that the insurrectionary movements of Santa Coloma, of Badajoz, of Villacampa, of Casero, of Mangado (in all of which he apparently had some share), were so many fiascos, and convinced that the revolution of his dreams would never triumph by such measures, Ferrer completely changed his course. He thenceforward believed that in Spain it was useless to foment revolutions, since the first and chief thing to do was to create revolutionaries: to which end it was essential to educate the young, extirpating from their brains the idea of God, of religion, of property, of the family, freeing them from every bond which could impede their movements, and when once they were thus prepared, awaiting the first opportunity, such as a general strike, the May Day festival, or any other fitting conjuncture to launch them upon the streets in order to demolish everything that exists, and to bring about a social revolution (file 15).

Here the Auditor appears to accept without question the sincerity of Ferrer's belief in the necessity for education.

To say nothing of the fact that the mention of "a general strike or the May Day Festival" occurs in the "Proclamation" of 1892, long anterior to Ferrer's change of heart, can the Auditor be sincere in his ridiculous assumption that Ferrer supposed that he could in 6 or 8 years create the educated populace without which he held revolution to be useless?

The enterprise was arduous and laborious; but to it the prisoner devoted all his indefatigable activity; and, the foremost need being money, he undertook the conquest of one of his lady pupils, hoping that in time he would succeed in obtaining from her the funds necessary to realize his ideal. That pupil was Mlle. Ernestine Meunié,

So the Auditor always spells Mlle. Meunier's name.

Catholic, Apostolic, and *all the rest* as Ferrer says in his letter of September 20, 1900 (packet No. 38); and over her Ferrer exercised during six years a veritable fascination, directed towards her conversion to anarchism. The numerous and interesting letters which make up packet No. 39 reflect exactly the impression which the prisoner's suggestions were producing upon her mind, leading her to make the following confession in a letter dated November 2, 1899. "I had," she says, "an admiring regard for the clergy: it is dead; I felt respect and admiration for men and things connected with Justice: it is dead; I cherished esteem and admiration for soldiers: it is dead; I had respect, in general, for everything connected with authority and government, and . . . it is dead . . .; but there is a Supreme Being, a God, the God of my mother, the God she adored, who made her happy, who accorded her a calm and gentle death. . . ." This God Ferrer did not succeed in tearing from her soul; neither did he succeed in making Mlle. Meunié accept the employment of bombs and explosives; she always answered her disinterested teacher's arguments by saying that as a wild lion or tiger is shut up in a cage to prevent his doing harm, so it was necessary to shut up militant anarchists for the same reason. The conversion of Mlle. Meunié to anarchism, then, was not complete, but it was sufficient to enable Ferrer to attain the end he had set before himself; and on their return from a journey, the prisoner, by invoking ideas of philanthropy and of succour to the helpless, extorted from her a grant of an annual endowment of 10,000 francs for the maintenance of an Asylum School. This was, by Ferrer's agency, changed into the Escuela Moderna, which carried out a work diametrically

We owe sincere thanks to the Auditor for quoting this letter. Without it there might have been some difficulty in rebutting the assertion that Ferrer deceived his benefactress as to the nature of his views. See p. 26.

It is a pity that the Auditor does not vouchsafe any quotation from which it should clearly appear that Ferrer advocated "the employment of bombs and explosives." Even supposing him at heart a terrorist, it is wildly improbable that he should imperil his chances with Mlle. Meunier by confessing such views.

Here the Auditor does not profess to be quoting from letters. He is merely repeating the groundless assertions of Signor Coppola. See p. 28.

opposed to the ends and aims of Ernestine Meunié, its unconscious founder.

The necessary funds obtained, the studies of the School had next to be subjected to a guidance adequate to the design of forming young revolutionaries, or, to put it better, anarchists; and for that necessity Ferrer had already provided by opening philosophico-mercantile relations with Mme. Ch. Jacquinet, a primary teacher, who directed a lay school at Sakha (Egypt), a school which, in view of the harm it did, was closed by the intervention of the English authorities. Mme. Jacquinet was an atheist, a materialist, scientifically (?) convinced; anti-religious, maintaining that religions, by dividing mankind, constitute a real obstacle to its progress; anti-militarist, anarchist, such an one, in short, as to realize Ferrer's dream of a person fitted to form by her teaching an archi-revolutionary younger generation (letters of Mme. Jacquinet packet No. 34c). Consequently, it was she whom Ferrer chose as directress of his school. He summoned her to Paris, thus snatching her from suicide. They busied themselves for some days in buying the scientific material for teaching; and in the first days of January, 1901, she established herself at Barcelona, and began the installation of the Escuela Moderna, in which work she was seconded by a committee composed of Sres. Brosa (afterwards Ferrer's son-in-law), Hurtado Prat, Canivel, Salas Antón, Jaime Peiró, and Odón de Buen (file No. 34c).

For the true story of Clémence (not "Ch.") Jacquinet, see p. 35. The (!) a little lower down is the Auditor's own.

Thus did it happen that Mme. Jacquinet, rooted out of the soil of Egypt as a noxious and dangerous germ by the authorities of liberal England, transplanted by Ferrer to Barcelona, struck root, developed, and brought forth abundant and very bitter fruits in our calumniated Spain.

The authorities of liberal England in no way interfered with Mme. Jacquinet.

Mme. Jacquinet having besought Ferrer to remove her from the administrative department of the School, he addressed himself to his friend and co-religionary, José Prats, asking him to take up the preliminary work. And in order to prove completely that

Ferrer's sole object in setting up his school was to create a generation of anarchists and revolutionaries, the Auditor will transcribe some paragraphs from his letters to Prats, the more so since in all of them is found a constant repetition of the idea that the most revolutionary work in the world is the adequate education of the working class. Ferrer says in the letter of September 29, 1900: "Friend Prats, it is my intention to found in this town an emancipatory school, whose business shall be to banish from the brain that which divides men (religion), the false ideas of property, of country and of family, etc., in order to achieve the liberty and welfare which all desire and none attain completely." In the letter of December 6, he adds: "We must so contrive that all the acts of the School—its books, its practices, etc.—shall be internally libertarian, but without making a show of this externally, because otherwise we should not be able to live." And in the letter of the 18th of the same month he rounded off this thought, saying: "But that which I intend doing is so much outside all that has hitherto been done, that, if no acceptable methods (of instruction) exist, we shall have to create them on purpose, seeing that in the School no homage must be paid to God, to the Country or to anything."

If only "anarchist" be clearly distinguished from "terrorist," it is not for a moment denied that this was Ferrer's main object.

With this end in view—that of procuring texts and methods of instruction—the prisoner drew up a circular inviting to a competition of authors, in which we read: "A revolutionary republican who has lived in Paris since 1885, and who, since that date, owing to the disgust and disillusionment suffered in his contact with the progressists and other Spanish republicans; owing to his observation of the French radical and socialist parties; having taken part in an infinity of congresses of workers and of social democrats; having witnessed the disputes of the socialist

This paragraph, and the next one, are invaluable documents—for the defence. Who can possibly believe that a man sincerely holding these doctrines (and the plea of hypocrisy is here tacitly abandoned) would consider his educational mission fulfilled in eight years of persecuted and hampered activity, and would stake his life and life-work on the success of a fortuitous local revolt?

leaders; and having read the Press which styles itself the defender of the people's rights; has arrived at the conviction that the only path which can lead to the redemption of those who suffer and to a real social state is the education of the working class. . . . Convinced, then, of this, he has changed the ardour which formerly possessed him in favour of political revolution into a passion for the instruction of the people, and thanks to his persistent propaganda, he has succeeded in finding certain resources for the foundation of an emancipatory School. It is his desire—for he is still a republican and revolutionary—that the emancipatory School should justify its name truly and completely. . . . Francisco Ferrer Guardia, the person in question, intends to establish the School in Barcelona, because he considers the Catalan Capital to be the best focus for propaganda and for the development of these ideas." Whereupon he announces a competition, setting forth the principles to be observed in the drawing up of different texts under such conditions that history, geography, grammar, and all the sciences, arts, and letters may converge to the end of depriving the young of all beliefs and flattering all their appetites (file No. 13).

For the phrase of which this is probably a perversion, see pp. 87, 89.

And in order to dispel all doubt that in the education he styles rational and scientific the sole ideal aspired to is that of creating revolutionaries and anarchists, particular mention may be made of the prisoner's reply to a letter of Don Odón de Buen, in which the latter complains of having barely escaped being a victim of the outrage of Hostafranch, having been in company with Salmerón, and says that this outrage had been prepared by intimates of Ferrer, wherefore he finds himself unable to visit him (Ferrer was at this time in the Model Prison at Madrid) fearing to find there certain persons whom he does not wish to meet. To this Ferrer replies in a letter of May 25, 1907: "As for not coming to see me, I regret that it should be for the reason you mention, because I am certain you would find nobody in my locutory whose presence could annoy you: if it is Lerroux to whom you allude, I have not seen him more than three or four times in a whole year, and not for more than a quarter of an hour in all. It is very regrettable, Don

Odón, that political passions should separate men who by their aspirations, or at least by their propaganda, ought to find themselves always united. You already know how much I have been disillusioned with politics; and now, with these new divergencies, and strange orientations, the conviction takes firmer root in me that by rational instruction and equalitarian education we shall be able to go further, much further, than by electoral contests." He expresses himself in a similar strain when he writes to Dr. Garriga of Buenos Ayres, and repeats a hundred times that the most intensely and unfailingly revolutionary work is education in the form by him established.

Yet, this was his conviction; but he did not dream that a people could be regenerated in the twinkling of an eye. He frequently insisted on the need for time and patience. See in particular the fragment written on the last day of his life, p. 236.

When therefore, in 1906, the Escuela Moderna was closed, Ferrer set to work to open a passage for his propaganda by introducing into the school of Casa del Pueblo, into the Solidaridad Obrera, and each and all of the numerous radical political centres established at Barcelona and in Catalonia, his texts, his pamphlets, his books; in this way, quietly, without exciting suspicion, without arousing protest, and under the pretext of obtaining for the people a rational and scientific education, he has gone on bringing under his influence, little by little, the most active elements of the extreme parties, to such a degree that in fact they can attempt no political movement in Catalonia without finding themselves swept away by the wave of anarchism which envelops them and hurries them on to social revolution.

The usual wild exaggeration of the influence of the Escuela Moderna and its text-books. See p. 60. It must be admitted that some of Ferrer's foreign admirers unwittingly helped to foster this illusion. The next three paragraphs all ring the changes on the same theme.

Soon certain sections of the republican party became aware of this evil, as is proved by the efforts they made last year to banish Ferrer's books from their schools (letters of Colominas and Bertelosi to Ferrer, packets 3 to 11). But events have shown that it was already too late, since the evil was done. A detailed examination of the accounts of the Escuela Moderna and of the

publications directed by Ferrer—an examination to which the Auditor has been unable, for lack of time, to apply himself—would bring to light the very far-reaching work of anarchist propaganda accomplished during late years; but, taking in bulk certain data furnished by a simple perusal of various documents, we may see, from a print bearing the title *Pour Francisco Ferrer*, written in French and English, which appears in packet No. 24, that in the year 1906, before the attempt upon their Majesties, Ferrer numbered, in the province of Barcelona alone, 47 branches of the Escuela Moderna, which number has since increased prodigiously, stretching not only over the rest of the Catalan provinces, but over those of Valencia, Granada, Seville, and other districts of Andalusia. And his books, pamphlets, and reviews, no longer intended for children, like the school texts, but for the adult section of the working class, now find a wide market in Spain and America; numerous translations are published of all the acratist and anarchist works which appear abroad, editions of some of them being rapidly exhausted, and immediately replaced by others, of an improved quality. It is equally to be remarked that when one or other of the political groups supplying themselves with his works shows some slowness in paying for its order, Ferrer does not press them, doubtless counting it more revolutionary to reap in its due time the fruit which his works may produce, than at once to recover a few pesetas.

An amazing confession of the necessity—imposed, as Pax Ferrer put it, by "reasons of State"—for hurrying Ferrer into his grave.

The correspondence under analysis brings to light, moreover, the authority and domination which the prisoner Ferrer exercised over the elements surrounding him, constituted not only of the teachers of the numerous schools dependent on him, but of the intellectuals who shared in his work, writing texts, and collaborating in the reviews and bulletins which Ferrer published at Barcelona, Brussels, and Rome. And on examination of the letters addressed to the prisoner by Anselmo Lorenzo, Litrán, Colominas, Odón de Buen, Pi Arsuaga, Nákens, Estévanez, Palasi, and various others in Spain; A. Naquet and Grave in France; E. Stander, Engerrand, and Eol. Duchemin at Brussels; and Fabri

at Rome, we may perceive that they all rendered to Ferrer the respect due not only to the publisher who pays, and pays in advance without haggling, the price of work done for him, but to the intelligence which commands, and the CHIEF who directs. Perusal of this correspondence makes clear the leadership and authority exercised by the prisoner. Ferrer also stood on terms of intimate and fraternal friendship with the anarchists Malato and Kropotkin, some of whose works were published at Barcelona, translated by A. Lorenzo, at the same time as at Paris (letter of Lorenzo, packet 12); and in the same way he maintained relations with Tarrida, Malatesta, Reclus, and other foreign anarchists. The prisoner Ferrer occupies a high place in the freemasonry of the world, as is shown by the diplomas, medals, and insignia seized at Mas Germinal, the very numerous masonic letters making up the fifty files which the Auditor is unable to decipher, and also the high and delicate missions which have been confided to him within the sphere of the world's freemasonry, as appears in detail in files 15–27, and various others.

From all that has thus been set forth it results: 1st, that the prisoner Ferrer Guardia has devoted the energies and activities of his whole life to the triumph of the revolution; 2nd, that despite the ardour and constancy with which he has worked for the revolutionary cause, he always wished to remain in the shade, hiding under the pseudonym of *Zero* during the period when he took part in political conspiracies, and putting on the mask of scientific and rational education when, changing his course, he gave himself over to anarchist propaganda, and the engendering of the social revolution; 3rd, that he was the true CHIEF of the anarchists, acratists, libertarians of Spain.

See pp. 222, 278, 301.

Here the suggestion of hypocrisy, abandoned for several pages, is quietly reinstated in the pleadings.

With such antecedents, established by his own letters, it is not surprising that—when, in the week of shame, bands of women and youths set fire to churches and convents, desecrated tombs, and dragged through the streets of Barcelona the corpses and

mummies of the nuns; when another band of women, in the Campo de Galvany, stopped a nun who had hidden in her clothes some money and articles which she wished to rescue from the rapacity of her assailants, stripped her of her garments one by one till they left her in her chemise, stole all she had with her, and, after deliberating whether or not to cast her into the flames that were consuming her convent, let her go, amid insults and jests of the coarsest and most degraded kind;—when one of the rebels, taking in his arms the embalmed corpse of another nun, danced with it and desecrated it in brutish fashion; when another rebel, finding amid the ruins of a gutted convent a most beautiful image of the Virgin . . . subjected it to the most perverse of profanations; and when so many other acts of sectarian savagery were committed in Catalonia—it is not astonishing that the outraged public conscience should exclaim with one voice, "This is the work of Ferrer!" And assuredly it was not mistaken, since those who carried out this work were bound to him in the relation of fruit and seed, effect and cause, pupil and master, CHIEF who commands and soldier who obeys.

Is this, perhaps, the foundation for the legend of the nun "outraged and brutally murdered"? Evidently the Auditor, like the Bishop cited on p. 137, knows nothing of that legend in its completed form.

Assuredly it was the "public conscience"—or, in other words, ignorant and violent prejudice—that did Ferrer to death. Here and in the next paragraph the equivogue between "moral" and actual responsibility emerges very clearly.

What has already been set forth, deduced from examination of the documentary proof, would suffice, without the necessity of opening the portfolio of the records, to induce in the mind an intimate, reasoned, and incontrovertible conviction that Francisco Ferrer Guardia was the MORAL AUTHOR AND CHIEF of the anarchist revolutionary movement in Catalonia, realizing in it the dreams of his whole existence, and reaping the fruit of his 30 years of incessant toil devoted to the triumph of the social revolution.

"Silly" seems to be the only epithet for the contention that in the haphazard Barcelona riots Ferrer realized, or hoped to realize, "the dreams of his existence," reaped, or hoped to reap, the fruits of 30 years' toil.

Let us now see how the facts above reported fit in with the events which took place in Catalonia during the last week of July.

This second part of his pronouncement will be easy, quick, and simple for the Auditor, since a very detailed account of the facts is given in the abstract of the Examining Magistrate (folio 496 onwards); the charges against the prisoner arising out of the record are stated with all lucidity and accuracy by the Prosecutor in his indictment, and by the Assessor in his opinion; while the legal description appropriate to these charges is set forth with keen juridical discrimination. The undersigned being at one with them in their appreciations, a new enumeration of the facts would be tedious and barren. For these reasons, the Auditor need do no more than recall the most salient features of the prisoner's share in the events of Barcelona, Premiá, and Masnou.

More mutual admiration.

Ferrer's presence is certified among the rebels of Barcelona, where he is observed in the groups which at about six o'clock in the evening collected in the Plaza Antonio López; when they were dispersed by a cavalry picket, the prisoner, by his contemptuous replies, drew upon himself the notice of the soldiers of the picket, who identified him three times among a circle of prisoners (folios 488 and 489). He appears a short time afterwards at Atarazanas, conversing with the groups which were there, as declared by the agent shadowing him, who lost sight of him in the Ramblas during a charge of the police, and saw him again, some time afterwards, enter the International Hotel, where he supped.

See pp. 206, 267.

He made only one reply, whether "contemptuous" or otherwise.

He conversed with only one of the groups. These things are trifles, but they show the general tendency to loose exaggeration.

He appears afterwards, accompanied by Francisco Domenech, the barber of Masnou, paying two visits to the office of *El Progreso, to see what the comrades were agreeing to do;* but he comes away disappointed from these conferences,

See pp. 208, 265.

because Emiliano Iglesias and those with him had not shown themselves disposed to assist his revolutionary plans. A short time afterwards, having met his co-religionary Moreno, in the Calle de la Princesa, he sent him with a third message to the office of *El Progreso*, where there were some representatives of the Solidaridad Obrera, to see what decision they had taken; and this time he obained a better result, since the revolutionary movement then began, and since, as is shown in another case actually pending before the Supreme Council of the Army and Navy, the said Moreno, and José Rodriguez Romero, the president of the Solidaridad Obrera, acted as chiefs of a nucleus of rebels, who erected various barricades between the Calles San Pablo, Beato Oriol, San Ramón, and other neighbouring streets. It is proved also that Ferrer appeared on the same day at the Casa del Pueblo, with the object of obtaining from Lorenzo Ardid that the protest should not be limited to the strike of the 26th; and it has been similarly established that many of the individuals on whom arms were found confessed that they had received them from a gentleman dressed in blue with a straw hat, which description coincides accurately with the description of the prisoner given by the cavalry picket.

His plan (which was not "his" in any real sense) was to suggest that the Government should avert a revolution by stopping the embarkation of reservists. He did not "send" Moreno "with a message"—Domenech's evidence contains no hint of such a thing.

The movement began in earnest some 15 hours later.

Ardid's evidence, even if correctly reported, contained no such suggestion; nor was Ardid in a position to exert any influence on the course of events. See pp. 204, 266.

These "many" individuals were "certain" in the evidence. See p. 274.

On the next day, the 27th, the witness Don Francisco de P. Colldefons (who, to his honour be it said, has been the only inhabitant of Barcelona who, shaking off the disgraceful social cowardice which here prevails, presented himself to give evidence) reports that he saw Ferrer, about half-past seven in the evening, captaining a group of rebels which passed

See pp. 164, 211, 268.

along the Ramblas, in front of the Liceo, and then proceeded down the Calle del Hospital. This witness subsequently identified the accused in a circle of prisoners as being the person he had seen in the Rambla at the head of the group before mentioned (folio 493); and this incident concludes the facts which prove the direct intervention of the prisoner in the events of Barcelona.

On July 28, Ferrer appears accompanied by *Llarch* at the anarchist society known as the Fraternidad Republicana at Premiá; he causes the Alcalde, Sr. Casas Llibre, the Deputy Alcalde, Sr. Mustarés, and the assistant, Espinosa, to be summoned, and he holds with them a conference which is reported in detail in the speech for the prosecution, proposing to them the proclamation of the Republic and the burning of the churches and convents. This proposition, though in appearance repudiated by the Alcalde, leaks out and is translated into deeds, since, from the time of this conference, the strike at Premiá, which had hitherto developed pacifically, takes a bad turn, and the acts of violence, the attack upon, and burning of, the convents begin. Ferrer gives to an employee of the Municipality, whom it has been impossible to identify, several dynamite cartridges intended for the destruction of the convents, of which cartridges two exploded during the burning of the Convent of the Brothers of the Christian Doctrine; and finally he gave direct instructions to Solá, surnamed *Casola*, as to the form the revolution is to take, as appears in detail in the speech for the prosecution.

The club of virtuous and incorruptible republicans has suddenly blossomed into an anarchist society.

For the "conference in detail," see p. 271.

Can it be that the Auditor doubts the virtue of the Alcalde?

As a matter of fact, no convents were burnt at Premiá. The huge convent of the Christian Doctrine was absolutely intact. It may be seen in the illustration at p. 219.

The sole evidence in regard to Casola is one witness's "moral certainty." See pp. 200, 272.

Also at Masnou the revolutionary influence and action of Ferrer made itself felt. After changing his appearance by

shaving the beard he was in the habit of wearing, he summoned Juan Puig, called *Llarch*, and proposed to him to go to the Town Hall and proclaim the Republic in Masnou; a proposal which *Llarch* energetically repudiated; in spite of which the prisoner insisted anew that people ought to be stirred up to begin the burning of the convents. *Llarch* having answered him that he did not understand how the Republic was to ensue from the burning of convents, Ferrer rejoined that for his part he did not care about the Republic, but the point was that there should be a revolution. During the evening and the night there was observed at Masnou the presence of groups of unknown persons, of seditious behaviour, who awaited the arrival of Ferrer; but he did not come; one of the rebels spoke in his name, excusing the prisoner by saying that he could not take part in what was going on because the affairs of the revolution demanded his presence in Barcelona. Finally, it is proved that from the 27th to the 29th some bands of persons were posted on the high road, for the purpose of watching, who stopped tartanas, carts, and bicycles, and in doing this carried out, as they told a witness, the orders of Ferrer, from whom they received money. To these clear, precise and well-defined charges Ferrer opposes only his denial; but not the round and categorical denial of the man who has rooted in his soul the absolute certainty of his innocence, but the tepid and hesitating denial of the man who denies simply that he may not confess, of the man who, pressed at the confrontations by the witnesses against him, sees himself constrained to admit what he denied before, and even when he persists timidly in his statements,

As to the shaving, see pp. 215, 268.

The utter worthlessness of the evidence for these occurrences at Masnou is shown at p. 202.

The Auditor here runs together two alleged incidents, one at Masnou, one at Montgat. The giving of money rests on the evidence of a newspaper paragraph which a witness remembered to have read. See pp. 201, 274, 275.

This is flagrantly untrue.

Only in one case did he withdraw a previous denial—his denial of having visited the Casa del Pueblo.

emerges from all of them [the confrontations] discredited and damaged.

If, as the defence asserts, Ferrer Guardia could have been exonerated by the evidence of Soledad Villafranca and his other disciples now residing at Teruel, they have had time to make their declarations during the 28 days occupied by the Sumario; and besides the prisoner could have cited them in his interrogatories; for, just as all the persons were examined whom Ferrer had cited in his interrogatories, so also a declaration would have been demanded of those persons; but as he never asked for any declaration from them until the case was in the stage of the Plenario, it has been impossible to grant his request owing to the prohibition imposed by paragraph 5 of section 552 of our Code. The same may be said of the declarations of the philosophers, thinkers, and eminent persons who from London, Brussels, Paris, Rome, could have added to the record their opinions of the prisoner, proving that men who hold the ideas of Ferrer are opposed to acts of violence of every sort. Supposing that these declarations were actually in the record, and that in them it were shown in brilliant periods that Ferrer is the redeemer of Humanity, through rational and scientific education; that to diffuse that education among the working class he sacrifices his welfare, his life, his energy, and his fortune; that he is an altruist, a philosopher in advance of his century, and that he possesses all the admirable qualities that can exalt human nature, on which his Defender descants with enthusiasm;—the fact would still remain that all these eulogistic assertions fall to the ground in view of those which, with his own hand, Ferrer sets down in in the letters making up the 50 files of correspondence, of which some are transcribed in the first part of this pronouncement; for they show clearly that Ferrer does not trouble about the education of the people except in so far as that education tends to produce revolutionaries, and that he directs his efforts to steeping their brains in the *spiritual panclastina* evolved by equalitarian and

See pp. 189, 292.

The same old argument that, because he had run a small school for 5 years and published some 40 text-books, he thought his work of education completed and the populace ripe for revolution.

anarchist instruction, in the hope that its explosion will produce, as in fact it has produced, greater and deeper devastation than the other panclastina, the recipe for which accompanies the Circular No. 2. Furthermore, if the Defender desires the inclusion in the record of the impression and idea of the prisoner Ferrer prevailing in foreign countries, on folio 468 will be found the report of the French police of Paris, in which it is conclusively stated that Ferrer "is regarded there as a very dangerous revolutionary and a propagandist of his ideas by all methods within his reach."

There is nothing to show that the French police did anything more than echo the opinion of the Spanish police.

The Auditor has yet to add, in reply to an observation of the defence, that the numerous documents appertaining to this case have never been subjected to examination, far less to judgment, on the part of the Tribunal which tried the case arising out of the attempt upon their Majesties, since the documents on the record in that case remained in the archives relating thereto, in the same way as the documents on the present record will be filed. It is further to be remarked that very many of the letters in this case are dated in the years 1907, 1908, 1909, and are, consequently, later than the judgment on which the defence so much insists.

It is obvious that the defence of the prisoner has exceeded due bounds in the portion attached to folio 587 and those which follow it; making absolutely gratuitous assertions; referring to witnesses as suborned whose evidence does not even appear on the record; relating stories which, having no relevance to the case, deserve the name of romances; stigmatizing as enemies of the accused and as false witnesses all those who have made declaration in the proceedings, regardless of the fact that he thereby contradicts his own client, who accepts as true certain assertions of these same witnesses; and committing, here and there, mischievous reticences. The Auditor makes allowance for the very difficult position of the officer

See p. 294.

This playing upon a possibly careless use of the word "all" is surely childish. See p. 292.

bound in Law and in honour to defend a prisoner who has drawn attention upon himself as Francisco Ferrer Guardia has done, and who offers his advocate no other basis of exculpation than his bare denials, a situation which undoubtedly cannot but produce in the Defender's mind a tension so extraordinary that it may almost be regarded as partially exempting from judgment what has been written under such conditions.

These two rows of asterisks seem to indicate the omission of some remarks upon Captain Galcerán which were felt to be injudicious.

* * * *
* * * *

It is useless, however, for the Auditor to spend time in discussing one by one the very exaggerated theories of the defence. The Assessor having already devoted himself to their refutation with great accuracy, address, and vigour, in the opinion which he has delivered, the Auditor accepts, and, for the sake of brevity, takes as read all the contents of that document.

After the reasoned, conscientious, and detailed analysis of our penal laws made in the Prosecutor's indictment, and in the Assessor's opinion, to show that the combination of wrongful acts accomplished by the rebels, under the leadership (*jefatura*) and on the initiative of the prisoner Ferrer, constitute the crime of military rebellion set forth in paragraphs 3 and 4 of section 237 of our Code, it would be otiose and tedious to insist on this characterization, which evidently appears; for neither did Ferrer limit himself to personally promoting the anarchist movement, but by means of his subordinates of the Solidaridad Obrera acted in such a way as to decide the radical party to hurl itself into the strife; nor did the genuinely anarchist elements limit their action to the burning of convents and other deeds of the kind, since, as has been said above, some of them acted as chiefs of the rebels in one of the quarters of the town where the greatest resistance was offered to the Army; nor, finally, can the social revolution fail to be covered by article 237, quoted above; since to destroy all that exists, is to attack equally the Constitution, the King, the

No proof either that Solidaridad Obrera were Ferrer's "subordinates," or that he in any way influenced the radical party. On the contrary, there is ample disproof of both assertions.

Legislative Body, the Government, and the whole of Society. Whence appears axiomatically that the facts set forth in this case amount to the crime of military rebellion, in the course of which many civil misdemeanours were committed.

The fact that Ferrer took part in this military rebellion in the character, if not of its sole CHIEF, at least of a very prominent one, is shown first by the evidence of the 15 witnesses, examined in detail in the Prosecutor's indictment, and in the Assessor's opinion, rebutting the defence; and secondly, by the declaration of his Excellency the Prosecutor of the Supreme Court, which reflects not only his personal opinion, in itself of great weight, but that of numerous representatives of the most important elements of Barcelona, who came forward to expound their impressions before that high functionary, when, representing the Government, he spent a month in Barcelona, studying the revolutionary movement of Catalonia.

For these 15 *witnesses, see pp.* 196, 260.

Note the admission that Sr. Ugarte's opinion, "siempre valiosisima," was treated as evidence.

In view of this admission, what comes of the Assessor's indignant denial (*p.* 293) *that the "reactionary elements and conservative classes" influenced the case?*

Further evidence of the said leadership (*jefatura*) is afforded by the actual events which took place during the rebellion, viewed in relation to the antecedents and ambitions of the prisoner. It is indeed a phenomenon worthy of observation that the places where acts of a sectarian nature developed to the greatest extent correspond exactly with the points at which Ferrer's propaganda made the greatest progress; and the Auditor has had occasion to assure himself, by examination of the hundreds of prosecutions instituted on account of the events of July, that in several of these places the names of the chiefs and principal instigators of the seditious acts correspond with the names of those who appear as teachers placed by Ferrer in certain Schools, or with the names of the chiefs of one or another anarchist centre dependent on the prisoner—facts which demonstrate in a very eloquent

This monstrous argument from a mere coincidence of names is dealt with on p. 246.

way the leadership (*jefatura*) of Ferrer in the revolution of July.

It having been proved, by all that is here set forth, that the facts before the Court deserve to be characterized as military rebellion, and that the prisoner intervened in them, playing the part of CHIEF, it becomes clear that he has incurred the penalty set forth in paragraph 1ª of section 238 of the Code of Military Justice, that is to say, death.

[Here follows an endorsement, with one slight modification, of the formal verbiage by which the sentence is accompanied.]

For the reasons explained, the Auditor considers that the sentence submitted to him is in strict accordance with the Law, and with the effect of the proceedings, and that it is one of those which, by Section 28 of our Code, paragraph 10, must be made executory by the judicial Authority, whatever be the penalty inflicted; whence it ensues that your Excellency should be pleased to confer on it that character, by granting it your superior approval.

[Another purely formal paragraph.]

Your Excellency, however, will decide.

EXCMO. SR. RAMÓN PASTOR.

Barcelona, October 10, 1909.

MILITARY PROCEDURE

THE Military Code of Justice defines and provides for two classes of procedure: The Ordinary (*ordinario*) (Sections 340–630) and the Most Summary (*sumarisimo*) (Sections 649–662).

Sections of the Military Code of Justice comprising the Guarantees accorded to prisoners in ordinary trials.

SUMARIO.

In order that proceedings may be directed against any person, some charges against him must appear (Sec. 421).

The prisoner shall give evidence without being sworn (sec. 458), and each time he does so his former depositions shall be read over to him if he demands it (sec. 459); the objects connected with the crime shall be shown to him, in order that he may recognize them (sec. 461); he shall have power to make declarations as often as he wishes (sec. 465) and he shall attend at the performance of necessary formalities, even when he is incommunicated (sec. 479). He shall have power to take exception, in writing or verbally, to the functionaries intervening at any stage of the proceedings (secs. 362 and 365).

Witnesses have permission to dictate and to read their declarations, in the same manner as the prisoner (secs. 431 and 455), they shall sign them (sec. 434), and no captious or leading questions shall be put to them, and no deceptions or promises shall be employed (sec. 435).

In the confrontations, a reading shall be given of points upon which divergency is noticed (sec. 467).

Identifications shall be carried out in a circle composed of not less than six individuals of similar appearance to the person

to be identified (secs. 422 and 424). Domiciliary searches must be made in the presence of the persons concerned or of a member of their household, or of two witnesses (sec. 511), and the same provisions shall apply to searches of correspondence or of documents (sec. 521).

The Sumario completed, it is subjected to examination by the Captain-General and his Auditor (secs. 532 and 533).

Plenario.

The Plenario is public (sec. 540). The prisoner himself names his Defender (sec. 543) and the charges formulated by the Prosecutor are read to both; the prisoner is asked whether he wishes to enter a plea of incompetence of jurisdiction, of the case having already been tried, of prescription, or of pardon; to demand an extension of the Sumario, a ratification of witnesses, the calling of new witnesses in the case of common crimes, or any other proceedings which he thinks he has a right to claim (sec. 548).

These proofs may also be proposed by the Defender, who is present when they are taken (secs. 552 and 559).

The Captain-General, after a report from the Auditor, declares the Plenario closed, and orders any defects he may observe in it to be remedied (sec. 560).

After approval of the Plenario and settlement of the accusation, the papers in the case are handed to the Defender (sec. 563).

Vista Pública (Public Hearing).

The Ordinary Council of War is composed of a President (Colonel) and six Judges (Captains), chosen automatically; an Assessor (legally trained) is also present when the crime is military, and when the penalty to which it is subject exceeds correctional imprisonment (secs. 41 and 58).

The prisoner is notified of the names of the persons who are to form the Council of War, in case he should wish to challenge any of them (sec. 568).

The hearing is public (sec. 575), and the prisoner attends it (sec. 571); it opens with the reading of the records (secs. 576 and

579); next comes the examination of witnesses (sec. 578) and experts (sec. 579) by the Prosecutor, the Assessor, Defenders, President, and Judges, and the identification of objects and documents (sec. 580); then the reading of the speeches for the prosecution and for the defence, which may be confirmed or modified by word of mouth (sec. 581), and finally the prisoner is entitled to speak, and to state whatever he considers expedient (sec. 583).

The Council having met in a secret session, the Assessor produces his pronouncement in writing before the deliberation begins (sec. 586); the Judges have the right to state personal opinions (sec. 594), and in the sentence, which is determined by an absolute majority, an even division of votes is reckoned in the prisoner's favour (sec. 588).

Approbation of the Judgment.

The judgment of the Council is reviewed by the Captain-General and his Auditor, and if one of them does not think it just, the case is submitted to a further hearing (vista) before the Supreme Council of the Army and Navy (sec. 597).

INDEX

A

Acratism, 37, 158
Adventures of Nono, The, 39–49
Albert, Charles, 83; Ferrer's letters to, 110
Alcañiz, 153–5
Alella:
  Ferrer's capture at, 171–4
  School at, 3–4
Alfonso XIII., King, 236 *n.*
Almanach Annuaire de la Libre-Pensée internationale quoted, 4, 230
Almudaina, La, 201
Alsina, Comas, 261, 263, 272
Alsina, Juan, 200, 261, 272
Alted, Trinidad, 184
Alvarez, 198, 216–18, 263, 270–1, 277, 295
Anarchists:
  Terrorists distinguished from, 37, 100
  Working classes preponderatingly of party of, 36, 100, 120
Ardiaca, Juana, 184
Ardid, Lorenzo, 204, 266–7, 276
Artal, 76
Asino, L', 65
Atraso de España, El, cited, 29 *n.*
Azorín, Sr. Crespo, Civ. Gov. of Barcelona, 175; cited, 150 *n.*; decree of, quoted, 153

B——, Mme., 24, 251; evidence of, cited, 76
B——, Riego, 24, 240
Barcelona:
  Anti-Clerical demonstration at (1906), 61
  Bomb-plague in, 100
  Committee of Social Defence, *see that heading.*
  Escuela Moderna, *see that heading.*
  Religious houses in, 101 ff.; armed students of, 131 *and n.*
  Situation and environs of, 97–9
  Strike, general (1909), 125–30
Barcelona riots (1909):
  Accounts of, conflicting, 136 ff.
  Anti-clericalist violence in, 130, 132, 134, 138; burning of convents, etc., 132
  Beginning of, 132
  Carlist instigation of, theory as to, 131
  Ferrer's instigation of, no evidence for, 118, 125–6, 135, 199; growth of legend as to his connection with, 162 ff.; his concealment after, *see* Ferrer—Concealment; his trial in connection with, *see* Ferrer—Trial of (1909).
  Incitement to, in *El Progreso*, 135
  Preliminary disorder, 122–3
  Siege, state of—proclaimed, 133; discontinued, 180
  Strike developing into, 125 ff.
Batllori, Mariano, 79, 152, 189
Belloc, Hilaire, quoted, 26 *n.*[1], 61, 90 *and n.*, 181 *n.*[2], 195 *and n.*[2]

Bermejo, Don Angel Fernandez, 206, 213, 264
Bernadas, Mariano, 172–4
Boletin of the Escuela Moderna:
  Character of, 52
  Largardelle quoted from, 59 *n.*
  "Renovation of the School" quoted from, 84–8
  Revival of (1908), 83
Bonafulla, Leopold, cited, 122
Bonet, Baldomero, 198, 261
Brissa, Sr., quoted, 132; cited, 137 *n.*[2]

C

Calle Mayor outrage:
  Ferrer's trial in connection with, 65–6 *and n.*, 73–80
  Morral's perpetration of, 61–2, 69
Callis, Verdaguer, 197, 260
Calvet, Francisco, 216–17, 220, 271–2
Casas, Domingo, Alcalde of Premia, 198, 216–19, 262–3, 270, 277, 290, 295
Casasola, 152
Catalonia:
  Condition of, 4
  Martial law in (1909), 75
  Melilla war, attitude towards, 120–1
  Political parties in, 100
  Religious houses in, 106 *n.*
Cazalla, Sr., quoted, 31
Colldefons, Francisco de Paula, evidence of, 164 *and n.*, 168, 211–14, 215 *n.*[2], 268, 295, 314
Committee of Social Defence, 27 *n.*, 165, 218
Compendium of Universal History, 49–50
Concha, Francisca, 153
Coppola, Sr. Cesare, 25, 26 *and n.*[1], 28 *n.*[2]
Correspondencia quoted, 136
Cortés, Sr. Garcia, cited, 163 *n.*[1].

D

Daily Telegraph, The, quoted on Morral affair, 69–71; cited, 77 *and n.*
"Data for History," 164
de Buen, Dr. Odón, 301, 308; Ferrer's letter to, quoted, 229–30, 281, 282
de Santiago y Manescau, Don Luis, 129
del Marmol, Fernando Tarrida, 108–9; Ferrer's letter to, 111
Delaunay, Mme. Berthe, quoted, 92
Dinale, O., Ferrer's letter to, quoted, 230
Diocesan Junta, 165
Domenech, Francisco, evidence of, 208–10, 215, 217, 265, 267–9, 290, 295; disappearance of, 218
Dublin Review quoted, 26 *n.*[1], 61 *n.*[2], 90 *and n.*, 181 *n.*[2], 195 *and n.*[2]

E

Ecole Rénovée, L', 83, 110
Encyclopædia of Higher Popular Education, 89–90
Epoca quoted, 162, 167; cited, 185
Escuela Moderna:
  Account books of, question as to, 77 *and n.*
  Boletin, see that heading.
  Directress of, 34, 36
  Essays of pupils at, selections from, 54–8
  Ferrer's lasting zeal for, 238–9
  Influence of, estimated, 245–8
  Methods of, 53
  Morral's connection with, 66–8
  Numbers taught in, total of, 105 *and n.*
  Opening of, 28, 59–60
  Principles of, 32–3
  Publications of, 38 ff.; Azorin's view of, 175
  Tone of, 50–1

España Nueva quoted, 20–3, 38, 277
Espinosa, *see* Alvarez.

Ferrer, Capt., *see* Ferrer Guardia—Trial of (1909)—Defender.
Ferrer, Mme., 8–15, 17, 76–7
Ferrer, José, visit to, 93 6; deportation of, 152 ff.; imprisonment and release of, 156–7; attempts to give evidence in Ferrer's trial, 189; bequest to, 240; estimate of, 95; mentioned, 116–17, 151
Ferrer, Layeta, 111
Ferrer, Miguel Salillas y, 27
Ferrer, Paz, quoted, 16
Ferrer, Mme. Trinidad, quoted, 10–14; cited, 20 *n.*
Ferrer Guardia, Francisco:
Arrest of (1909), 172–4; rewards in connection with, 188
Barcelona riots, *see that heading.*
Career of—early years, 3–5; marriage, 5; removal to Paris, 5–6, 300; life there, 7, 10–12, 18, 301; relations with Mlle. Meunier, 19–27, 304–5; founds Escuela Moderna, 28, 59–60, 305 ff.; surrenders to police, 75; imprisonment at Madrid, 63–5. 308; trial, 65–6 *and n.*, 73–80; founds Ligue Internationale, 82–3; projects *Encyclopædia of . . . Education*, 89–90; in London, 29, 108–10; returns to Spain, 111; movements during Barcelona riots, 143 ff., 313 ff.; disappearance of, 149; affair of the signed document, 150–1; attempts to obey judicial summons, 169–73; capture, 174; imprisonment, 175–8; trial, *see under* Ferrer *sub-heading* Trial of (1909); removal to Montjuich, 236; his will, 240; his execution, 241
Ferrer Guardia, Francisco—*cont.*
Characteristics of:
Courage, 241, 252–3
Educational zeal, 88, 113, 236–40, 247
Kindliness and geniality, 251
Proselytizing proclivities, 20, 32, 249, 251
Rationalism, 113
Self-devotion, 248
Simplicity and frugality of life, 92 ff.
Sincerity, 88, 250
Concealment of, after Barcelona outbreak, 75, 148, 151; official secrecy as to, 168, 220
Disguise of, question as to, 173 *and n.*, 215 *n.*[1]
Estimate of, 252
Execution of, 1, 241; widespread indignation at, 1, 244
Family of, 10–11; his relations with them, 11–17; his bequests to them, 240
Financial affairs of, 90–1 *and n.*
Grave of, 241
Imprisonments of—at Madrid, 63–5, 308; at Barcelona, 175–8; at Montjuich, 236, 238
Morral's relations with, 66–8, 73–4; Morral's letter regarding, 79
Nakens' relations with, 72–4
Parentage and birth of, 3
Political opinions of:
Anti-clericalism, 64–5
Anti-militarism, 32, 37
Anti-patriotism, 32
Change in, 18–19, 37–8, 227 ff., 249, 304
Education, on, 30, 32, 83 ff.
Radicalism and proletarianism, 64, 89
Revolutionism, 33
Trial of, (1907) regarding Morral's outrage, 65–6 *and n.*, 73–80; result of, 81–2

Ferrer Guardia, Francisco—*cont.*
Trial of, (1909):
Assessor's dictamen — cited, 223 *and n.*[1]; translated, 286–97
Atmosphere of, 3
Auditor-General:
Dictamen (report) of—quoted, 5–6, 26, 169, 228, 230–2, 246; cited, 34, 35, 62 *n.*, 89, 137 *n.*[1], 245; length of, 235 *and n.*[1]; translation of, 300–21
Function of, 35 *n.*
Charge preferred, 2
Course of, 190 ff.
Defender:
Restrictions on, 181, 183 *and n.*
Selection of, 181, 186 *and n.*
Speech of, 192, 195, 200, 207, 218; Ferrer's estimate of, 238; Assessor's reply to, 291–6; omission of, from official report of the trial, 183
otherwise mentioned, 187, 190, 240
Evidence:
Analysis of, 194, 260–77
Anonymity, question as to, 195 *and nn.*–6, 290, 291
Documentary, 222 ff., 277–81, 288–9
Hearsay and opinion, 195 ff., 260 ff.
Relevant accusations, 211 ff.
Statements which prove nothing, 204 ff.
Haste in conduct of, 184–6, 192 *n.*, 232, 235, 243
Indictments at, 183; translations of, 259 ff.
Irregularities in, 181–2, 187, 243
Military law, decision for, 166, 179–80
Official Report of, 257–321; speech for the defence omitted from, 183
Ferrer Guardia, Francisco—*cont.*
Trial of—*continued.*
Physical examination, 184–6
Procedure at, 181–3, 189
Prosecutor's speech—cited, 62 *n.*, 91, 193; analyzed, 196 ff.; translated, 257–85
Publication of Sumario documents pending, 187 *and n.*, 224, 234
Sentence, 235 *and n.*[2]; real ground of, 245; translation of, 298–9
Witnesses for the defence not admitted, 157, 160, 189, 292
Witnesses for the prosecution:
"Conclusive proof" from, disappearance of, 185–6
Confrontations, 181 *and n.*[2], 205, 217, 276–7, 316–17
Examination of, irregularities as to, 181–2
Imprisonment of, and release after evidence, 178, 218
Inaccuracy in reporting of, 146 *n.*
Villa of, *see* Mas Germinal.
Will of, 240
Ferrer: l'Homme et son Œuvre cited, 173 *n.*, 229 *n.*[1], 230 *n.*
Figaro quoted, 8–10
Fontcuberta, Maria, 152, 156–7, 240
France, Anatole, 83
Francisco Ferrer—Sa Vie—Son Œuvre cited, 223 *n.*[2]
Freedom quoted, 114–18

Galcerán Ferrer, Capt. Francisco, *see* Ferrer—Trial of, (1909)—Defender.
Garcia, *see* Ferrer—Trial of, (1909)—Assessor.
Gerundio, Fray, cited, 106 *and n.*
Gil Blas quoted, 16
Gille, Paul, 83

H

Haeckel, Ernest, 83
Heaford, William, 83, 108; Ferrer's letter to, quoted, 82, 111, 169, 174 ff., 183 *and n.*; Ferrer's second letter to, quoted, 185; cited, 232 *n.*; appointed Ferrer's executor, 240
Heraldo de Madrid quoted, 29
Huesca, 154, 177

I

Iglesias, Emiliano, 63 *n.*[2], 66, 136, 265; trial of, 165, 181, 184; evidence of, at Ferrer's trial (1909), 197 *and n.*, 208, 261–2
Imparcial, El, quoted, 27, 167, 172, 188
Inquisiteurs d'Espagne, Les, cited, 99 *n.*
Internacional, La, cited, 125
Isabella II., Queen, 4

Jacquinet, Mme. Clémence, 34–6, 49–51, 306
Journal quoted, 147
Judicio Ordinario, 180 ff., 189, 205 *n.*[2], 322–4

Kropotkin, Prince, quoted, 37
Kropotkin, Mlle. Sasha, quoted, 109, 113 *n.*

La Cierva, Sr., 124, 129
Lagardelle, Hubert, quoted, 59 *n.*
Laisant, Charles, 83; Ferrer's letter to, quoted, 111
Lara, Modesto, 198, 262
Law of Jurisdictions, 179
Lerroux, Alejandro, 79, 135, 302–4
Ligue Internationale pour l'Education rationnelle de l'Enfance, 82–3
Litrán, Cristóbal, 145–6, 149, 189; deportation of, 153; Ferrer's executor, 240; quoted, 167–8
Llarch (Juan Puig Ventura), 198–200, 215–18, 262, 269, 289–90, 295, 316
Llibre, *see* Casas.
Lliviana y Fernandez, Don Vicente, proclamation of, quoted, 166; Ferrer's estimate of, 183
London, Ferrer in, 92, 108–10
Lorenzo, Anselmo, 39; quoted—on opening of the Escuela Moderna, 59–60; on the deportations, 152 ff.

M

Madrid:
  Ferrer's imprisonment at, 63–5, 308
  Morral's outrage in, *see* Calle Mayor outrage.
  Rioting in (1909), 123
Maeterlinck, Maurice, 82 *n.*
Magallón, García, 198, 262
Malato, Charles, 92; Ferrer's letters to, cited, 148, 216, 223; quoted, 184
Manana, La, quoted, 235 *n.*[2]
Marina, Gen., 119, 123
Martyr des Prêtres, Un, cited, 4 *n.*, 5 *n.*[1], 110 *n.*, 148
Martyrdom of Ferrer, The, cited, 5 *n.*[1], 99 *n.*
Mas Germinal:
  Description of, 65, 92 ff.
  Life at, 115–16
  Police ransacking of, 95, 149, 160–1
Masnou, 147, 168, 196; evidence relating to, 201–2, 208, 214 ff., 260, 267 ff., 296, 315

Maura, Sr., 16, 76, 124; letter of, in *La Mañana* quoted, 235 *n.*[2]; fall of, 1, 243–4
Melilla affair, 119–20
Meseguer, Alfredo, 145, 189
Meunier, Mlle. Ernestine, Ferrer's relations with, 19–27, 304; will of, 25–6, 28 *n.*[1]
Meyer, Mlle. Henriette, Ferrer's letter to, quoted, 229
Millet, Salvador, 201, 273
Montjuich:
  Ferrer removed to, 236; his confinement in, 238
  Tortures in, 98 *n.*, 280
Moral Education League, 112 *and n.*
Moreno, Miguel, 208, 209, 266, 314; Ferrer's letter to, quoted, 143–5
Moret, Sr., 179, 243–4; letter of, in *La Mañana* quoted, 236 *n.*, 244
Morral, Mateo, relations of, with Ferrer, 66–8, 73–4; relations with Nakens, 69–71; letter from, regarding Ferrer, 79; outrage of, 61–2, 69; death of, 71
Moya, Jimenez, 196–7, 260
Mundo, El, cited, 63 *n.*[2]
Mustarés, 216–17, 263, 270–1

N

Nakens, 21, 22; Ferrer's relations with, 72–4; Morral's relations with, 69–71; sentence on, and release of, 71
Naquet, Alfred, Ferrer's letter to, quoted, 114
Negrini, *see* Raso.
Nevinson, Henry, cited, 140

O

Ordinary Process . . . against Francisco Ferrer cited, 183; quoted, 258–321
Ossorio, Don Angel, 124; quoted, 126, 129, 131; cited, 163

Pagés, Pedro, 201, 275
Pastor, Ramón, *see* Ferrer—Trial of, (1909)—Auditor-Gen.
Pierre (journalist), 198 *and n.*
Pius X., Pope, 236 *n.*
Police:
  Bad faith of, 242 *and n.*
  Deportations as conducted by, 154 *n.*
  Ferrer shadowed by, 114, 117, 125, 144, 206, 264
  Mas Germinal ransacked by, 95, 149, 160–1
Pons, Puig, 201, 272, 274
Ponte, Lieut.-Col. Leoncio, evidence of, at 1907 trial, 78, 196; evidence at 1909 trial, 196, 260
Portet, Lorenzo, 240
Premiá de Mar, 147, 168, 196; evidence of villagers of, 199 ff., 214 ff., 260 ff., 270, 296, 315
Press:
  Overtures to, (1907) for incrimination of Ferrer, 78
  Publication in, of Sumario documents (1909), 187 *and n.*, 224, 234
Prim, Gen., 4
Proceso Ferrer, El, cited, 181 *n.*[1]
Progreso, El, cited, 135; Ferrer's visits to office of, 208–9
Puigdemón, Esteban, 202, 273

R

Radical de Valencia, El, cited, 151
Rafales, *see* Ferrer—Trial of, (1909)—Prosecutor
Raso Negrini, Don Valerio, 184, 186, 189, 190, 223–4, 226

Revista Penitenciaria, cited, 63 *n.*[1]
Revolución de Julio cited, 122, 137 *n.*[2]
Robles, M., 153–4
Roca, *see* Morral.
Rugieres, Sr. Renato, 114–18

Salillas, Don Rafael, cited, 63–5
Santa Coloma insurrection, 5, 300
Santa Maria de Pomés, Pontifical Count of, quoted, 165
Semana Tragica, La, quoted, 119
Sergi, Giuseppe, 83
Shaw, Rafael, quoted, 102–4, 140–1
Siglo Futuro, El, quoted, 164, 211
Simarro, Dr., cited, 162, 181 *n.*[1], 205 *n.*[1]
Sola, 200
Solidaridad Obrera, 124, 163 *n.*[1], 196–8, 209, 260–3, 279, 309, 319
Spain:
  Anarchists, *see that heading.*
  Education in:
    Condition of, 4, 28–31
    Escuela Moderna, *see that heading.*
    Reforms in, attempted, 31–2
    Schools, inadequacy of, 29–30 *and nn.*
  Imprisonment in, nature of, 178
  Law proceedings in, examples of, 66 *n.*, 78
  Military tribunals in, procedure of, 180 ff., 189, 205 *n.*[2], 322–4
  Religious houses:
    Burning of, 132
    Convents:
      Industrial competition by, 101–3
      Number of, 106 *n.*
    Number of, 106 *n.*
  Religious orders:
    Economic situation due to, 101–4
    Education in relation to, 31
Spain—*continued.*
  Religious Orders—*continued.*
    Unpopularity and distrust of, 101 ff., 131, 134, 139
  Socialist party in, 36, 120
Spain from Within cited, 29 *n.*; quoted, 102–4

Teruel, 155, 158
Times, The, cited, 121; quoted, 191
Tormento en los Conventos, El, cited, 106
Torturing of prisoners, 98 *n.*

U

Ugarte, Don Javier, 164–9, 263
Universo, El, quoted, 165, 179; cited, 177
Urales, Federico, 778

V

Van Eysinga, H. Roorda, 83
Vanguardia, La, cited, 234
Ventura, Juan Puig (Llarch), 198–200, 215–18, 262, 269, 289–90, 295, 316
Victimarios, Los, cited, 99 *n.*
Vie Ouvrière, La, quoted, 152 ff.
Villafranca, Mme., 161, 189
Villafranca, Sr. (brother of Soledad), 152–4
Villafranca, Mme. Soledad, Morral's courtship of, 67–9; deportation of, 152 ff; imprisonment and release of, 157; Ferrer's telegram to, 177; at Teruel, 187; attempts to give evidence in Ferrer's trial, 189; Ferrer's last letter to, 238–9; his bequests to, 240; interview with, quoted in *Journal*, 147–9; otherwise mentioned, 96, 108, 109, 117, 150–1
Volney's *Ruins*, 20

W

Ward, G. H. B., quoted, 31
Westminster Gazette cited, 109, 113 *n.*
Weyler, Gen., 280; quoted, 104
Zorilla, Ruiz, 5, 7, 19, 300 ff.
Zulueta, Don Pascual, quoted, 162–3, 166
Zurdo, Luis, 184

THE END

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